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Deposition of:

FRANCES V. CREIGHTON

Taken Tuesday, May 19, 1998

In The Matter of:

R. J. Reynolds Tobacco Co.

Matter No. D09285

PREPARED FOR:

JOHN B. WILLIAMS, ESQUIRE

PREPARED BY:

FOR THE RECORD, INC.

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1 Washington, D.C. 20580-0000
2 (202) 325-2812
3 ON BEHALF OF R. J. REYNOLDS:
4 JOHN B. WILLIAMS, Attorney
5 JOHN E. VILLAFRANCO, Attorney
6 Collier, Shannon, Rill & Scott, PLLC
7 3050 K Street, N.W., Suite 400
8 Washington, D.C. 20007
9 (202) 342-8400
10
11 ALSO PRESENT:
12 GUY M. BLYNN, Attorney
13 Vice President and Deputy General Counsel
14 R.J. Reynolds Tobacco Company
15 Fourth and Main Streets
16 Winston-Salem, North Carolina 27102
17
18
19
20
21
22
23
24
25

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2
3 FEDERAL TRADE COMMISSION
4
5 in the Matter of:)
6 R. J. Reynolds Tobacco Co.,)
7 a corporation.) Matter No. D09285
8 -----)
9 Tuesday, May 19, 1998
10
11 Womble, Carlyle, Sandridge & Rice
12 200 West Second Street
13 Winston-Salem, NC 27102
14
15 The above-entitled matter came on for
16 administrative deposition, pursuant to notice, at
17 10:20 a.m.
18
19 APPEARANCES:
20
21 ON BEHALF OF THE FEDERAL TRADE COMMISSION:
22 PEDER MAGEE, Attorney
23 SHIRA D. MODELL, Attorney
24 Federal Trade Commission
25 6th Street and Pennsylvania Avenue, N.W.

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1 PROCEEDINGS
2
3 Whereupon --
4 FRANCES V. CREIGHTON
5 a witness, called for examination, having been first
6 duly sworn, was examined and testified as follows:
7 MORNING SESSION - MAY 19, 1998
8 MR. MAGEE: Good morning.
9 THE WITNESS: Good morning.
10 MR. MAGEE: This deposition is being
11 conducted in connection with an administrative
12 complaint issued by the Federal Trade Commission in
13 the matter of R.J. Reynolds Tobacco Company, Docket
14 Number 9285.
15 My name is Peder Magee, and I'm appearing as
16 counsel supporting the complaint. Also appearing
17 with me today is Shira Modell, another attorney
18 supporting the complaint.
19 EXAMINATION
20 BY MR. MAGEE:
21 Q. You've been sworn in. I'm going to ask you
22 some questions today. Your answers will be recorded
23 by the court reporter. You need to respond orally
24 to me. The court reporter can't take down a nod.
25 And I ask you to speak clearly and -- just so she

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1 can hear it. Do you understand?
2 A. Uh-huh.
3 Q. Instead of an uh-huh or a huh-uh, if you can
4 respond yes or no.
5 A. Yes.
6 Q. Thanks. You are under oath and required to
7 provide truthful answers or to assert a valid
8 privilege. Do you understand that?
9 A. Yes.
10 Q. Your attorney may object to some of my
11 questions; however, you still have to answer the
12 question, unless you're instructed not to. Do you
13 understand that?
14 A. Yes.
15 Q. If I'm unclear at any time, or you don't
16 understand what I mean, please tell me, and I'll try
17 and clarify the question. Otherwise I'll assume
18 that you understand the question. Okay?
19 A. Okay.
20 Q. Also, if you do not know or do not remember
21 the information necessary to answer a question, just
22 go ahead and tell me.
23 A. Okay.
24 Q. Do you understand?
25 A. Yes.

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1 Q. If you need to take a break at any time, ask
2 me and we'll take a break.
3 A. Okay.
4 Q. Do you understand the instructions I've just
5 given you?
6 A. Yes.
7 Q. How are you feeling today?
8 A. Feeling fine.
9 Q. Okay. Any illnesses or anything like that?
10 A. No illness.
11 Q. Are you taking any medications, or is there
12 anything that you can think of that would affect
13 your ability to understand or answer my questions
14 today?
15 A. No.
16 Q. Good.
17 Would you please state and spell your full
18 name.
19 A. Frances, F-R-A-N-C-E-S, Virginia,
20 V-I-R-G-I-N-I-A, Creighton, C-R-E-I-G-H-T-O-N.
21 Q. What is your date of birth?
22 A. October 30th, 1951.
23 Q. What's your current address?

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1 Q. How long have you lived there?
2 A. Ten years.
3 Q. Are you married?
4 A. Yes.
5 Q. And how long have you been married?
6 A. Ten years.
7 Q. Did you get the house with the husband or
8 the husband with the house?
9 A. Came together.
10 Q. Do you have any children?
11 A. None. I have a stepson. None of my own.
12 Q. Ms. Creighton, have you ever been deposed
13 before?
14 A. Yes.
15 Q. When was that?
16 A. 1991.
17 Q. Is that the only time you've been deposed?
18 A. Yes.
19 Q. What was that case about?
20 A. It was the -- a case with -- on Winston, the
21 Kooper case, a smoking and health related case.
22 Q. And what was your testimony about that
23 deposition?
24 MR. WILLIAMS: Whoa. Don't you have a copy
25 of it?

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1 MR. MAGEE: I think we've gotten part of a
2 copy of it. I'm not sure I've seen it all though.
3 MR. VILAFRANCO: I think we've given you a
4 complete copy of the Kooper deposition.
5 MR. WILLIAMS: I mean, the purpose of giving
6 you the deposition was so she didn't have to
7 characterize what she testified about before.
8 MR. MAGEE: Okay. Well, I --
9 MR. WILLIAMS: I don't think it's fair to
10 ask her what she was asked seven years ago.
11 BY MR. MAGEE:
12 Q. Well, if you can remember, you can tell me.
13 If you can't, tell me you can't.
14 MR. WILLIAMS: Well, can you be a little
15 more specific in asking what you'd like to know
16 about that deposition. I mean, I don't think it's
17 any big issue, since it's been provided, and you
18 should be aware of what she testified about before.
19 BY MR. MAGEE:
20 Q. Were you asked any questions about
21 advertising or marketing?
22 A. I recall questions in regard to advertising
23 and the advertising code.
24 Q. Okay.
25 A. I don't recall specific questions about

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1 advertising.
2 Q. And you said that was related to the Winston
3 brand?
4 A. Yes.
5 Q. Ms. Creighton, are you currently employed?
6 A. Yes.
7 Q. Who is your employer?
8 A. R.J. Reynolds Tobacco.
9 Q. R.J. Reynolds Tobacco?
10 A. Company.
11 Q. Throughout the deposition, I'm going to
12 refer to R.J. Reynolds Tobacco Company in a
13 shorthand form just by Reynolds.
14 A. All right.
15 Q. So if -- if I ask you a question about
16 Reynolds, what I'm referring to is R.J. Reynolds
17 Tobacco Company. Do you understand that?
18 A. Yes.
19 Q. Okay. Thank you.
20 Are you represented by counsel?
21 A. Yes. Mr. Williams, Mr. Villafranco, and
22 Mr. Blynn.
23 Q. And who pays for your legal representation?
24 MR. WILLIAMS: Whoa, whoa. What is the
25 possible relevance of that? It's objectionable and

1 conversations between Ms. Creighton and Mr. Blynn.
2 You're talking about attorney/client privilege.
3 MR. MAGEE: Okay.
4 BY MR. MAGEE:
5 Q. Will you answer the question?
6 MR. WILLIAMS: No, she won't. She was just
7 instructed not to answer.
8 MR. MAGEE: Anytime you do that, I've got to
9 ask her and have her say on the record that she
10 won't answer. That's why I'm asking.
11 MR. WILLIAMS: Well, to move this along, I
12 think you can assume that if I instruct her not to
13 answer, she won't.
14 MR. MAGEE: I just need her to say.
15 BY MR. MAGEE:
16 Q. Will you answer the question?
17 A. No.
18 Q. Thank you.
19 Have you ever met with counsel in
20 connection with this case?
21 MR. WILLIAMS: You can answer that.
22 THE WITNESS: Yes. I've met with
23 Mr. Williams, Mr. Villafranco, and Mr. Blynn.
24 BY MR. MAGEE:
25 Q. And how many times have you met with them?

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1 it intrudes the privilege, and I'll instruct her not
2 to answer. You can have free reign here, but you're
3 not getting the paying of legal expenses.
4 BY MR. MAGEE:
5 Q. Will you answer the question?
6 MR. WILLIAMS: No, she won't. She was
7 instructed not to answer.
8 MR. MAGEE: Okay. I just need her to say
9 that she won't answer the question.
10 THE WITNESS: No.
11 BY MR. MAGEE:
12 Q. Okay. When did you first become aware that
13 your deposition would be taken in this case?
14 A. About a month ago.
15 Q. How did you become aware of that?
16 A. Mr. Blynn advised me.
17 Q. Advised you what?
18 A. That I would be giving this deposition
19 today.
20 Q. And what did he say about the deposition?
21 MR. WILLIAMS: Wait. Mr. Blynn is an
22 attorney. She is covered by the attorney/client
23 privilege. I don't know why it is relevant. I'm
24 sure he told her to show up for the deposition.
25 But, please, we're not going to go into

1 A. Three times.
2 Q. When is the first time you met with counsel
3 in connection with this case?
4 A. Last week.
5 Q. Where was the meeting?
6 A. In my offices at R.J. Reynolds Tobacco.
7 Q. Was anyone else present besides your counsel
8 that are here today with us?
9 A. No.
10 Q. And what did you discuss?
11 MR. WILLIAMS: Can I have a moment?
12 MR. MAGEE: Yeah.
13 (Discussion off the record.)
14 THE WITNESS: Geoff Beach from --
15 MR. WILLIAMS: Jones Day.
16 THE WITNESS: -- Jones Day was present.
17 Thank you, John.
18 BY MR. MAGEE:
19 Q. In addition to Mr. Williams,
20 Mr. Villafranco, Mr. Blynn, and Mr. Beach, and
21 yourself, of course, was anyone else at the meeting?
22 A. No.
23 Q. What did you discuss at the meeting?
24 MR. WILLIAMS: What are we doing here?
25 That's subject to the attorney/client privilege.

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1 BY MR. MAGEE:
2 Q. Will you answer the question?
3 MR. WILLIAMS: You've established that there
4 are lawyers and only lawyers there, as well as
5 Ms. Creighton. And that's the second time we've
6 been into attorney/client issues. So I'll instruct
7 her not to answer.
8 BY MR. MAGEE:
9 Q. Will you answer the question?
10 A. No.
11 Q. When was the next time you met with counsel
12 in connection with this case?
13 A. All meetings were conducted last week.
14 Q. Okay. What day last week was the first
15 meeting?
16 A. I have a busy calendar.
17 MR. WILLIAMS: Would you like my
18 recollection of it?
19 MR. MAGEE: Well, actually, I'd like her
20 recollection.
21 MR. WILLIAMS: Well, do you want an answer
22 to the question? If you want an answer to the
23 question, I'm happy to give it to you. It's no
24 mystery.
25 MR. MAGEE: That's fine.

1 Q. Okay. Anything else?
2 A. I reviewed my deposition from 1991.
3 Q. And that was in the Kooper case?
4 A. Uh-huh.
5 Q. Anything else?
6 A. I reviewed the testimony by Ms. Lynn Beasley
7 at the Minnesota trial.
8 Q. Did you review anything else?
9 A. That's all I recall.
10 Q. Have you prepared any documents or other
11 material in preparation for this deposition?
12 A. No, I have not.
13 Q. Ms. Creighton, have you ever entered into
14 any type of agreement with Reynolds regarding the
15 confidentiality of information or material you
16 obtain or see in connection with your job?
17 A. I don't recall.
18 Q. Does Reynolds have a retirement plan or a
19 pension plan?
20 A. Yes.
21 Q. Are you -- do you participate in it?
22 A. Yes.
23 Q. Can you describe your participation? Does
24 it involve an annual contribution or part of your
25 salary being taken out of your paychecks?

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1 MR. WILLIAMS: It wasn't last week.
2 THE WITNESS: It was the week before.
3 MR. WILLIAMS: It was the week before. It
4 was Thursday of the week before. And then
5 Mr. Villafranco returned to Winston-Salem to spend a
6 little more time with Ms. Creighton last week.
7 MR. VILLAFRANCO: That's correct. On
8 Thursday.
9 THE WITNESS: So it was Thursday and Friday
10 of the week before and Thursday of this past week.
11 MR. WILLIAMS: Right.
12 MR. MAGEE: Thanks.
13 BY MR. MAGEE:
14 Q. Have you met with or talked with any other
15 attorneys about this case?
16 A. I have not.
17 Q. Have you discussed this deposition with
18 anyone else?
19 A. No, I have not.
20 Q. Have you viewed any documents or material in
21 preparation for this deposition?
22 A. Could you specify what kind of documents
23 you're talking about?
24 Q. Any kind.
25 A. I reviewed the complaint by the FTC.

1 A. I'm not really sure.
2 Q. Okay. Do you have any relatives that work
3 for Reynolds?
4 A. No.
5 Q. All right. Let's talk about your education.
6 When did you graduate from high school?
7 A. 1969.
8 Q. Where did you go to high school?
9 A. Huntington High School, Huntington, West
10 Virginia.
11 Q. Did you go to college?
12 A. Yes.
13 Q. Where did you go to college?
14 A. Marshall University, Huntington, West
15 Virginia.
16 Q. What was your major?
17 A. French and math.
18 Q. Have you had any post-college education?
19 A. Yes.
20 Q. Would you describe that for me, please.
21 A. Master's degree in French language and
22 literature; University of Tennessee; Knoxville,
23 Tennessee; 1976. MBA, master's in business
24 administration; University of North Carolina at
25 Greensboro; 1981.

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1 Q. Anything else?
2 A. Not that I recall.
3 Q. That's a lot. You said you got your MBA in
4 1981?
5 A. Uh-huh.
6 Q. Do you have a particular area of emphasis?
7 A. Marketing. And if I recall, general
8 management.
9 Q. Is that it?
10 A. Yes.
11 Q. And when you say "marketing," what does that
12 mean?
13 A. I took the required courses that satisfied
14 an emphasis in marketing.
15 Q. How about -- I don't have an MBA and I've
16 never taken any marketing classes. Maybe you can
17 just give me, as a little bit of background, what is
18 marketing, what you studied and got your MBA and
19 emphasis on.
20 A. I had classes in marketing research, which
21 was an overview of the practices of conducting
22 marketing research, analyzing marketing research
23 findings, and reporting those findings.
24 I had a marketing class that was mostly
25 case studies about different companies marketing

1 A. After completing my master's in business, I
2 was hired by R.J. Reynolds. I was hired by R.J.
3 Reynolds Tobacco International in June of 1981.
4 Q. What is R.J. Reynolds Tobacco International?
5 A. It is a sister company to R.J. Reynolds
6 Tobacco Company under -- it is another subsidiary of
7 R.J. Reynolds Nabisco Industries -- no, R.J.
8 Reynolds Nabisco, RJRN.
9 Q. Is R.J. Reynolds International ever referred
10 to as TI?
11 A. Yes.
12 Q. And R.J. Reynolds Tobacco Company, is that
13 ever referred to as TC?
14 A. Generally, it's referred to as RJRT.
15 Q. Why did you start working for R.J. Reynolds
16 Tobacco International?
17 MR. WILLIAMS: What was the question? Why
18 did she start working there?
19 MR. MAGEE: Yeah.
20 THE WITNESS: I was offered a job. I
21 accepted the job.
22 BY MR. MAGEE:
23 Q. Okay. Did you interview with other
24 companies?
25 MR. WILLIAMS: What is the relevance of

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1 their advertising promotions, packaging, product
2 distribution, just really a very basic course in the
3 fundamentals of marketing.
4 Q. Anything else?
5 A. Not that I recall.
6 Q. Let's go through your employment history,
7 starting with any jobs that you had in college.
8 A. In college. I worked part time as a
9 receptionist at the laboratory at Cabell Huntington
10 Hospital.
11 Q. Okay.
12 A. I worked one summer driving the steam
13 locomotive at Disney World. After I completed my
14 graduate degree at the University of Tennessee, I
15 was hired as an instructor of French here in
16 Winston-Salem at Wake Forest University, and I was
17 an instructor of French for five years.
18 Q. Did you ever have Mr. Villafranco as a
19 student at Wake Forest?
20 A. We talked about that. I don't believe so.
21 MR. VILLAFRANCO: I would have remembered
22 for sure.
23 BY MR. MAGEE:
24 Q. After teaching French at Wake Forest, what
25 did you do?

1 that?
2 MR. MAGEE: You can answer the question.
3 THE WITNESS: Yes.
4 BY MR. MAGEE:
5 Q. Was there something in particular about R.J.
6 Reynolds Tobacco International that led you to
7 interview there and accept a job with them?
8 A. It was here in Winston-Salem. I had an
9 interest in international, because of my background
10 in French language and literature and the fact that
11 I lived overseas. R.J. Reynolds Tobacco
12 International had a training program here in the
13 United States for two years in marketing research.
14 And it offered me a strong training program with the
15 ability to be placed overseas for my future career.
16 Q. Were you involved in the two-year training
17 program?
18 A. Yes.
19 Q. Can you describe that program for me?
20 A. It was here in the domestic company in the
21 marketing research department. I spent anywhere
22 from two weeks to three months in individual areas
23 of marketing research learning the fundamentals of
24 how we conduct marketing research in the domestic
25 company.

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1 At the end of that period, I moved to R.J.
2 Reynolds Tobacco International headquarters in
3 the -- here in Winston-Salem. I spent six months
4 there learning how headquarters looks at marketing
5 research data across the world.
6 At the end of that period, the company
7 decided to terminate the program of overseas
8 placement of employees in the training program I was
9 in, and I was offered a position in the domestic
10 company in the marketing research department.
11 Q. So that was at the end of the two years?
12 A. In the middle of 1983.
13 Q. I'd like you to take me through your career
14 at Reynolds, if you would, and tell me each job
15 you've had at Reynolds.
16 A. Starting in 1983?
17 Q. Yes.
18 A. I was in the marketing research department
19 in new brands research in the middle of 1993 --
20 1983. Excuse me. I worked on the development, the
21 lead market introduction, and the national
22 introduction of Sterling.
23 Q. And what's Sterling?
24 A. A brand of cigarettes that was a new brand
25 at the time.

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1 Q. Okay.
2 A. At the end of 1990 -- 1983.
3 Q. Could you maybe give me a month, if you can
4 remember?
5 A. I can't recall if it was at the end of '85
6 or early '86.
7 Q. Okay.
8 A. But I was assigned as marketing research
9 assistant manager to Camel. I subsequently became
10 marketing research manager on Camel.
11 Q. When was that?
12 A. In early 1986, as best I can recall. And I
13 stayed on Camel until early 1988 in the marketing
14 research department.
15 Q. At that time, I moved to Winston as the
16 marketing research manager for Winston. I became
17 senior marketing research manager about that time in
18 early 1988.
19 Late that year -- I don't remember exactly
20 the date; it would probably be October or
21 November -- I was offered a position in brand
22 management in the marketing department and accepted,
23 began as marketing manager in -- on what we called
24 special markets.
25 In either late '89 or early '90, I became

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1 marketing manager on a brand called Magna. I became
2 senior marketing manager also in early 1990.
3 In early 1991, I became marketing -- senior
4 marketing manager for Winston. I remained senior
5 marketing manager on Winston until late 1993 when I
6 also assumed some responsibilities for marketing on
7 Camel. That could have also been early '94.
8 In the middle of 1995, I no longer worked
9 on Winston. I took full responsibility for all of
10 the marketing on Camel in mid 1995, and I remain
11 that today.
12 Q. Do you have a specific job title right now?
13 A. Marketing vice president.
14 Q. All right. Focusing on your position as a
15 marketing research analyst, which I believe you said
16 was about -- well, that was your job after the
17 two-year training program ended in 1983?
18 A. I was the equivalent of marketing research
19 analyst during the two-year training program. And I
20 became senior marketing research analyst in 1983
21 when I came back to the company.
22 Q. Okay. Starting with 1983, when you were
23 senior marketing research analyst, could you
24 describe for me what your responsibilities were.
25 A. I was responsible for a number of different

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1 areas of marketing research for the Sterling brand.
2 That included setting up focus groups --
3 MR. MAGEE: She's taking down everything.
4 We don't need to go so slowly just for him to write
5 this. We can move along a little quicker.
6 THE WITNESS: All right.
7 MR. MAGEE: That's fine. I'm just taking my
8 own notes to go along.
9 MR. WILLIAMS: We're going to go as fast as
10 you want to talk, not as fast as he's writing.
11 Okay?
12 THE WITNESS: Okay.
13 MR. WILLIAMS: We've got a lot of
14 depositions to do in this case.
15 MR. MAGEE: If you go too fast, I'll tell
16 you, and you can slow it down.
17 THE WITNESS: Thank you.
18 Setting up focus groups, identifying
19 methodologies for quantitative research,
20 working with suppliers to develop questionnaires
21 for quantitative research, for specifying what
22 groups of adult smokers we would talk to in
23 quantitative research, for evaluating the
24 research data when it came in, and for reporting
25 the results.

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1 BY MR. MAGEE:

2 Q. Anything else?

3 A. Those were my primary responsibilities. I
4 did a lot of things on a daily basis. That's what I
5 recall.

6 Q. Did you do other things on a daily basis in
7 addition to the primary responsibilities you just
8 outlined for me?

9 A. I attended meetings. I --

10 MR. WILLIAMS: Is there anything specific
11 you'd like -- I mean, any specific questions? She's
12 identified about a dozen jobs she's had. And so far
13 we're into the first job. And she's identified what
14 her primary focus was.

15 I don't think it's unfair to say: Did you
16 do anything else in your first job at Reynolds?

17 If there's something specific you're
18 interested in, have at it. But, you know, we've
19 provided her other depositions. They went into this
20 at length. I think we've got to move this along a
21 little bit, if you wouldn't mind.

22 BY MR. MAGEE:

23 Q. I'm not looking for, you know, whether you
24 sharpened pencils, things like that. I'm talking
25 about something a little bit more substantial that

1 A. We conducted focus groups among adult
2 smokers regularly to test advertising promotion
3 ideas for adult smokers.

4 Q. I'm going to ask some questions about focus
5 groups a little bit later, so I'll move on to some
6 of your other job responsibilities.

7 A. Okay.

8 Q. You mentioned that you identified
9 methodologies for quantitative research?

10 A. Yes.

11 Q. Is that correct?

12 A. Yes.

13 Q. What is quantitative research?

14 A. Quantitative research is when you have a
15 larger number of adult smokers that you want to ask
16 about advertising or promotion. It could be a
17 hundred, a hundred and fifty, two hundred or more.

18 And we hire a supplier who interviews adult
19 smokers with a questionnaire we've approved. They
20 conduct the interviews. And the data is tabulated
21 and then returned to us for us to evaluate the
22 information.

23 Q. And how do you evaluate it?

24 A. It usually consists of a series of
25 percentages, numbers. And you look at them

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1 you would have done every day, that you would put
2 down on a resume, for instance.

3 MR. WILLIAMS: Well, then ask that question.
4 Ask what it is you'd like to know. But just asking
5 the open-ended question -- she's already given you a
6 long description of what she did in her first job.
7 And then to say "anything else" I just don't think
8 is fair.

9 MR. MAGEE: Well, if you have any
10 difficulty --

11 MR. WILLIAMS: If you want to ask her if she
12 sharpened pencils, that's fine. But let's be
13 specific about the questions.

14 MR. MAGEE: If you don't understand the
15 question, or you think I'm being vague, just go
16 ahead and --

17 THE WITNESS: Those were my primary
18 responsibilities. I did analyze sales data for the
19 introduction of Sterling in its lead market and in
20 its national introduction, to evaluate its overall
21 performance in the marketplace.

22 BY MR. MAGEE:

23 Q. Okay. You said you set up focus groups?

24 A. Yes.

25 Q. What do you mean by that?

1 different ways based on what questions you ask.
2 Those numbers give you an indication of the
3 performance of one idea versus another.

4 Q. When you were a marketing research analyst,
5 who was your boss?

6 A. I had many bosses. What particular time
7 frame are you --

8 MR. WILLIAMS: You mean direct reports? Why
9 don't you ask direct reports?

10 BY MR. MAGEE:

11 Q. Yeah. To whom did you report?

12 A. At what time?

13 Q. Throughout -- throughout that -- the time
14 that you were employed as a marketing research
15 analyst. I think you said it was from '83 to '85.

16 A. Yes. My direct report from '83 to '85 would
17 have been Mr. Greg Totterdale.

18 Q. Anybody else?

19 A. He was the director of that new brands
20 research area for the whole time I was there.

21 Q. So he was the main person to whom you
22 reported?

23 A. From 1983 to 1985.

24 Q. During this time period, did you supervise
25 anybody?

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1 A. No.
2 Q. With whom did you work during this time
3 period? I mean --
4 A. Can you be specific? We work with a lot of
5 people.
6 Q. Sure. Coworkers who would have had similar
7 jobs as yours. Maybe you were put together on a
8 team, something like that, or maybe you just worked
9 with Mr. Totterdale.
10 MR. WILLIAMS: Wait a minute. That wasn't
11 the question. Do you want to know who else was on
12 the -- was it Sterling brand?
13 THE WITNESS: The Sterling brand?
14 MR. WILLIAMS: Why don't you ask that
15 question: Who was on the Sterling brand?
16 THE WITNESS: Is that the question?
17 MR. WILLIAMS: If he wants to ask it.
18 MR. MAGEE: That's fine.
19 THE WITNESS: I believe I was the only
20 marketing research -- as far as I can recall, there
21 was -- we're going back 17 -- 15 years here. Lynn
22 Buzzard worked on Sterling and Margaret Parham.
23 BY MR. MAGEE:
24 Q. Did they have the same job title that you
25 did?

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1 A. They were on it different times. They were
2 each marketing research managers. They had
3 responsibility for more than just Sterling.
4 Q. But during this time period of '83 to '85,
5 you worked exclusively on the Sterling brand; is
6 that correct?
7 A. As far as I can recall.
8 Q. Could you, in the context of this position,
9 define brand for me.
10 A. A brand is --
11 MR. WILLIAMS: Maybe if you give him an
12 example of what a brand is, it might become clear.
13 THE WITNESS: A brand, like Camel, has a
14 specific name, specific trademark, packaging for the
15 product that has recognizable graphics.
16 BY MR. MAGEE:
17 Q. I guess I'm looking more along the lines of
18 whether there's Sterling filtered varieties,
19 unfiltered varieties, something like that.
20 THE WITNESS: I'm sorry.
21 MR. WILLIAMS: What's the question? Does a
22 brand include filter and unfiltered? Is that the
23 question?
24 MR. MAGEE: No. The question was in the
25 context of her job between 1983 to '85.

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1 MR. WILLIAMS: No, your next question.
2 MR. MAGEE: I'm trying to get a handle of
3 what a brand is.
4 MR. WILLIAMS: I understand. She answered
5 that one. What's the next question?
6 MR. MAGEE: Okay. The next question is --
7 MR. WILLIAMS: It has something to do with
8 filters or nonfilters.
9 BY MR. MAGEE:
10 Q. Are there any subbrands? How is a brand
11 defined? I don't think I got an answer to that.
12 Sounded like you didn't understand what I was --
13 MR. WILLIAMS: No. Wait. What do you mean
14 how was a brand defined? She was unable to give you
15 a definition of a brand, so she give you an example
16 of what a brand is.
17 BY MR. MAGEE:
18 Q. What was the example you gave me?
19 A. I described a brand family with a name, a
20 package, graphics associated with that name. And
21 that was Camel.
22 Q. Camel or are we talking about Sterling?
23 A. I gave you an example that was Camel.
24 Q. Okay. With respect to Sterling during this
25 time period -- when you say Sterling, are you

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1 referring to a brand family?
2 A. Sterling would have had more than one style
3 of cigarettes as a part of its total brand family.
4 Q. Okay. So the different styles are subsets
5 of a brand family; is that correct?
6 MR. WILLIAMS: I'm sorry. What was the
7 question?
8 THE WITNESS: What is the question?
9 (Previous question read by reporter.)
10 MR. WILLIAMS: Do you understand the
11 question?
12 THE WITNESS: Not fully. Can you ask again
13 what you mean?
14 BY MR. MAGEE:
15 Q. Well, you've mentioned brand family and then
16 you said something about styles. And I'm just
17 trying to figure out how the hierarchy here works,
18 if styles are part of a brand family.
19 A. The brand family has a name, for example,
20 Sterling.
21 Q. Okay.
22 A. There could be Sterling Lights. There can
23 be Sterling Lights Menthol. There could be Sterling
24 Lights 100s. I don't recall all the styles for
25 Sterling.

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1 Q. That's fine.
2 A. But those would all be considered to be
3 styles of the brand Sterling.
4 Q. Okay.
5 A. And they each carry the name Sterling.
6 Q. During the -- your job as marketing research
7 analyst from '83 to '85, were you part of a specific
8 department at Reynolds?
9 A. Yes.
10 Q. What department is that?
11 A. I believe the title was marketing
12 development department, MDD.
13 Q. Okay. After '85, your next job was senior
14 marketing research analyst; is that correct?
15 A. In 1983, I was senior marketing research
16 analyst on Sterling.
17 Q. Okay.
18 A. In 1985, I was promoted to assistant
19 marketing research manager.
20 Q. Okay. What were your responsibilities on
21 that job?
22 A. When I was promoted to assistant, they were
23 the same responsibilities as senior marketing
24 research analyst while I was still on Sterling.
25 Later in that year, or possibly early 1986, I moved

1 exist, if I recall correctly, in early -- sometime
2 in 1990.
3 Q. Were you still working with it in 1990?
4 A. No. I had moved to Magna.
5 Q. What were your responsibilities on Magna?
6 A. I was responsible for development,
7 implementation of advertising and promotion for the
8 Magna brand.
9 Q. Anything else?
10 A. Not that I recall.
11 Q. And what time frame was that?
12 A. Either late '89/early '90 until early 1991.
13 Q. In 1991, you were --
14 A. I moved to Winston.
15 Q. What were your responsibilities then?
16 A. Again, development and implementation of
17 advertising and promotion for the Winston brand.
18 Q. So you were doing the same thing for Winston
19 and Magna --
20 A. Uh-huh. Uh-huh. Yes.
21 Q. And after Winston?
22 A. We had a slight change in organization, and
23 we had more than one marketing manager on the same
24 brand. I became head of direct marketing for
25 Winston.

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1 to Camel, where my responsibilities changed based on
2 brand change.
3 Q. Could you describe your responsibilities for
4 me when you moved to Camel?
5 A. Generally, they were the same
6 responsibilities. I was responsible for setting up
7 focus groups, conducting quantitative research,
8 analyzing sales data. That was generally my
9 responsibilities.
10 Q. Okay. Your next position was manager of
11 special markets; is that correct?
12 A. That's when I moved to brand marketing in
13 late 1988. I was no longer in marketing research.
14 Q. And what were your responsibilities there?
15 A. I was responsible for the development and
16 implementation of advertising and promotions for the
17 special markets area.
18 Q. What are special markets?
19 A. Special markets was a project which was
20 primarily focused on African American adult smokers.
21 And my work was primarily on the Salem brand.
22 Q. Does the special markets still exist?
23 A. No.
24 Q. When did it cease to exist?
25 A. As a separate department, it ceased to

1 Q. When was that?
2 A. I believe that was in late 1993 or early
3 1994. And I also became head of direct marketing
4 for Camel at the same time.
5 Q. And is that what you're doing today?
6 A. No. Today I'm over all of Camel
7 advertising, promotion, exclusively Camel.
8 Q. What is direct marketing?
9 A. Direct marketing is a promotion that is sent
10 in the mail to adult smokers who certified that they
11 are 21 years old and older on a data base and are
12 smokers.
13 Q. Where do you get the names of these people?
14 A. What specifically do you mean "where"?
15 Q. You send them something in the mail.
16 A. Uh-huh.
17 Q. And I'm wondering how you find out where
18 these people are.
19 A. Multiple sources. Smokers can fill out a
20 survey at -- when they purchase a product with a
21 promotion. When they fill out that survey, there's
22 an opportunity for them to sign up to be on our
23 mailing list. They give us their name, their
24 address, and they provide their signature which
25 certifies that they are 21 years old and older, are

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1 a smoker, and are willing to receive promotions in
2 the mail. That's one source.

3 We also buy names from third parties. We
4 send a survey to those names so that we can also
5 receive the same certification of 21 years old and
6 older and an adult smoker.

7 We also receive names when we meet people
8 one on one at marketing events. We certify that the
9 individual is a smoker and that they're over the age
10 of 21. They show us -- they sign that they are
11 certified to be that, and they are added to our data
12 base.

13 Q. Are there any other ways?

14 A. Those are the most that I recall. There may
15 be some others, but those are the primary sources.

16 Q. Okay. Going back just a little bit, you
17 told me early on that when you worked for Sterling
18 in '83 to '85, that was part of the MDD, or
19 marketing development department?

20 A. Yes.

21 Q. When you promoted and moved to Camel, what
22 department were you in?

23 A. It's always been the same department,
24 marketing development department. It's also been
25 called the marketing research department. And it's

1 MR. WILLIAMS: There was a name change.

2 BY MR. MAGEE:

3 Q. Has any other department ever been referred
4 to by one of those names?

5 A. No.

6 Q. All right. I'm going to ask you some
7 questions about the marketing research department.
8 And because it's had these three names, I'm just
9 going to call it marketing -- I'm sorry -- I'm going
10 to call it the marketing development department and
11 just stick with that, if that's okay.

12 A. Okay.

13 Q. What are the department's roles and
14 accountabilities in the company?

15 A. Can you be more specific? This is a large
16 department with a large number of roles and
17 accountabilities. Is there something you're looking
18 for specifically?

19 Q. What is its function?

20 MR. WILLIAMS: Do you want something beyond
21 marketing? What -- the marketing department's
22 function is marketing. Is there anything specific
23 you want from this witness?

24 MR. MAGEE: I just want to know what it
25 does.

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1 also been referred to as the business information
2 and development department, BIAD.

3 Q. It's always been the marketing development
4 department, what do you mean by that?

5 A. It's always been the same department. The
6 name has changed.

7 Q. Oh, okay. Can you give me dates for when
8 the three names were used?

9 A. I don't recall. It was marketing
10 development department when I joined the company. I
11 honestly don't recall.

12 Q. What's the department called today?

13 A. Marketing research department, I believe.

14 Q. Do you recall whether the department was
15 ever referred to as BIAD during the years you worked
16 at Reynolds?

17 A. Yes. During the years I've worked at
18 Reynolds, it's been called that.

19 Q. But a reference to either BIAD or marketing
20 research development or marketing development
21 department all means the same thing; is that
22 correct?

23 MR. WILLIAMS: She's already said that
24 twice.

25 THE WITNESS: Yes.

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1 MR. WILLIAMS: Well, I think she's told you
2 what it does. Are you looking for something
3 specific?

4 I mean, just to say I want to know what it
5 does is hardly specific enough to permit anything
6 other than a very generalized answer.

7 BY MR. MAGEE:

8 Q. All right. Why don't you give me a
9 generalized answer, to start out with, and see if we
10 can make it more specific.

11 A. The department provides information for the
12 company to make decisions.

13 Q. What kind of information?

14 A. It can be sales information on our
15 performance in the marketplace, quantitative
16 research studies on specific subjects, focus group
17 research, product testing results. All information
18 supporting the marketing and the products that we
19 manufacture.

20 Q. Okay. You said it provides information to
21 make decisions. What sorts of decisions?

22 A. It's input to decisions like which
23 advertising campaign we might introduce, what
24 packaging we might use on a new brand or revised
25 packaging on a current brand. It's input to make

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1 decisions on what promotions we introduce. It's
2 sales information to evaluate performance.
3 **Q. Does the marketing development department do**
4 **the same type of things now as it did when you**
5 **started with the company?**

6 MR. WILLIAMS: Hold on. I'm going to
7 object. That's vague. What do you mean "the same
8 types of things"? What she identified?

9 BY MR. MAGEE:

10 **Q. Can you answer?**

11 MR. WILLIAMS: No, no, no. She's not going
12 to answer it until I understand what the question
13 is. I'll object to it as vague. Would you please
14 rephrase.

15 MR. MAGEE: If she understands the question,
16 she can answer it, unless you've got a privilege.
17 Then you can object on privilege grounds.

18 MR. WILLIAMS: I'm making a form objection
19 here. It's vague. All right? Do you want to
20 rephrase it, the same types of things?

21 BY MR. MAGEE:

22 **Q. Do you understand the question?**

23 A. It would help if you would be more specific
24 about the things that I discussed, which ones you're
25 asking, if we continue to --

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1 **Q. Okay. You listed for me a number of**
2 **different types of things that the marketing**
3 **development department does. And right now I'm**
4 **asking you whether it -- it did those things when**
5 **you started and continues to do them, or whether it**
6 **did some of those things when you started and does**
7 **some different things now. Does that make it any**
8 **more clear for you?**

9 A. Most of the things that I've did in marketing
10 research when I started continue to be the same
11 types of research that we conduct today. There
12 certainly have been improvements in more
13 sophistication in -- computers have added a lot to
14 what we do.

15 We, at the time I joined the company,
16 conducted our marketing research among 18-year-old
17 and older smokers. We currently conduct our
18 marketing research among 21 years old and older
19 smokers.

20 **Q. But fundamentally, the role is the same?**

21 A. Same.

22 **Q. Why did you change from research on 18 and**
23 **above to research on 21 and above?**

24 A. In 1992, the company decided, given the
25 controversy that was surrounding our industry and

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1 our company in regard to underage youth and smoking,
2 that we would -- although 18 remained the legal age
3 for most states for the purchase of cigarettes, we
4 wanted to distance ourselves from the -- from the
5 criticism, so we moved to all development and all
6 marketing at the age of 21 years old and older among
7 smokers.

8 **Q. What did you do differently?**

9 MR. WILLIAMS: Object. Vague. Form.

10 THE WITNESS: What specifically do you mean
11 differently?

12 BY MR. MAGEE:

13 **Q. Well, if you changed your focus from 18 and**
14 **above to 21 and above, were there any procedures**
15 **enacted to insure that you weren't doing research on**
16 **18 and above?**

17 MR. WILLIAMS: I'm going to object to the
18 form of the question. I don't think she said they
19 changed their focus. I think she said they changed
20 some other things that they did. It's not a fair
21 question.

22 MR. MAGEE: I'm sorry.

23 BY MR. MAGEE:

24 **Q. What did you change, then, in 1992 when you**
25 **made the decision?**

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1 A. We stopped doing focus groups and
2 quantitative research among 18, 19, and 20-year-old
3 smokers.

4 **Q. Anything else?**

5 MR. WILLIAMS: What?

6 BY MR. MAGEE:

7 **Q. Did you do anything else?**

8 MR. WILLIAMS: Do anything else about what?

9 BY MR. MAGEE:

10 **Q. It's the same question. You just said that**
11 **you stopped doing focus groups and quantitative**
12 **research among 18, 19, and 20-year-olds. I wanted**
13 **to know if there's anything else that you stopped**
14 **doing.**

15 MR. WILLIAMS: In connection with what?

16 MR. MAGEE: We've just been talking about
17 the move in '92.

18 MR. WILLIAMS: If that's what you're talking
19 about -- I was asking for clarification.

20 MR. MAGEE: Yeah.

21 THE WITNESS: In 1992, we changed to

22 21-year-old and older smokers for marketing
23 research. We continue to do 21-year-old and older.

24 I'm not sure I understand if there's any
25 other question.

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1 BY MR. MAGEE:

2 Q. Well, you said that you stopped doing focus
3 groups and quantitative research on 18, 19, and
4 20-year-olds. Is there anything else that you
5 stopped doing?

6 A. I said that we stopped doing quantitative
7 and focus groups among 18, 19 and 20-year-old
8 smokers. And that's it, as far as I know.

9 Q. Thank you.

10 Have all your jobs at Reynolds been within
11 the marketing development department?

12 A. No.

13 Q. What other departments have you worked
14 within?

15 A. In 1989 -- I'm sorry -- 1988, I moved to the
16 brand management department. Sometimes its referred
17 to as the brand marketing department. We have a
18 name change thing.

19 Q. What does the brand management department
20 do?

21 A. All of the brand marketing is housed in the
22 brand marketing department. Those individuals
23 responsible for advertising and promotion,
24 development and implementation work in brand
25 management.

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1 Q. How does the brand management department
2 interact with the marketing development department?

3 A. It would be easier if I gave you an example.
4 It would be a long list of things that we interact
5 on.

6 If I'm developing a new advertising
7 campaign, I might have a number of different ideas
8 for that campaign. And I would go to my marketing
9 research partner and ask them to set up focus groups
10 among adult smokers of different brands so that I
11 could test those advertising campaigns among those
12 adult smokers. That person would then set the focus
13 groups up.

14 Q. Okay. So, in your hypothetical, the person
15 who has the idea, is he starting out in the
16 marketing development department?

17 A. No.

18 Q. Okay.

19 A. The idea starts in the brand management
20 group, in the brand marketing department.

21 Q. Okay. And then they say: Okay, I have this
22 idea. I'm going to go talk to somebody in the
23 marketing development department to set up some
24 focus groups to find out if it's a good idea. Is
25 that what you're saying?

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1 A. They would talk to the marketing research
2 department person about setting up some focus groups
3 to expose the different advertising ideas to adult
4 smokers of different brands.

5 Q. Let's just stick with the hypothetical.

6 What would happen after the focus groups were put
7 together? Would they test the idea?

8 MR. WILLIAMS: Can you be a little more
9 specific?

10 THE WITNESS: Who do you mean?

11 BY MR. MAGEE:

12 Q. Okay. You said that somebody in brand
13 management has an idea.

14 A. Uh-huh.

15 Q. And they talk to some people in the
16 marketing research department.

17 A. Uh-huh.

18 Q. And ask them to set up focus groups to test
19 the idea. Is that correct?

20 A. Yes. The marketing research person would
21 set up the focus groups. We would have specific
22 groups that we define that we would want to speak
23 to, groups of adult smokers. Might be a group of
24 Camel smokers 21 years old and older. Might be a
25 group of Marlboro smokers 21 to 34 years old.

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1 And those groups would be set up in a
2 location and, generally, the brand, which would be
3 someone like me, would travel to those focus groups
4 along with a person in marketing research, some
5 folks from our advertising agency, some of the
6 people possibly who report to me. We would all
7 attend those focus groups.

8 This is a group that's generally
9 facilitated by an expert, a person we call a
10 moderator. We would then conduct those focus groups
11 and have a discussion about what the results were
12 afterwards.

13 Q. And what would happen if the results were
14 bad?

15 A. What do you mean by "bad"?

16 Q. Okay. Well, let me start with this: What
17 could the results be?

18 A. We would show a campaign that people didn't
19 like.

20 Q. And then what would happen?

21 A. We'd probably decide not to do the campaign.
22 We're not in the business of having advertising that
23 people don't like.

24 Q. Okay. What are some other results you could
25 get?

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1 MR. WILLIAMS: How about good?
2 THE WITNESS: We could have a campaign that
3 people love.
4 BY MR. MAGEE:
5 Q. Okay. And what would happen next?
6 A. Then we would probably do a lot of work to,
7 you know, have a number of different executions of
8 that campaign, you know, because a campaign is not
9 one ad. A campaign is many different things: It's
10 advertising; it's promotion ideas; it's ideas that
11 go into retail stores.
12 So we would go back to the advertising
13 agency, develop more executions, probably go back
14 out to focus groups, talk to adult smokers, see if
15 they like those.
16 If they didn't like something, potentially,
17 or thought that something was inappropriate, we
18 would not do it. If they like it, if it seemed that
19 it was consistent with our strategy, then we would
20 likely implement it.
21 Q. Okay. What do you mean by "implement"?
22 A. It's a word that we use often to talk about
23 putting it into the marketplace. For an
24 advertisement might go into a magazine or on a
25 billboard or a promotion go into a retail store.

1 about how the company is set up.
2 MR. WILLIAMS: Let me try this: We've given
3 you an organizational chart. You asked for it. You
4 subpoenaed it. You received it. We did that, in
5 part, because we wouldn't have to take employees
6 through the organization of Reynolds.
7 If there's something specific you want,
8 we'll be happy to give you information, whether
9 through this witness or somebody else. But you're
10 really going very broadly here.
11 MR. MAGEE: Well, let's work with me. Let's
12 see if we cannot make it so broad.
13 BY MR. MAGEE:
14 Q. Can you tell me approximately how many
15 departments there are within Reynolds?
16 MR. WILLIAMS: Do you know?
17 THE WITNESS: My guess would be a dozen
18 departments.
19 MR. WILLIAMS: Fran, we're not here to
20 guess.
21 THE WITNESS: I don't know.
22 MR. WILLIAMS: This is inappropriate.
23 THE WITNESS: I don't know. There are --
24 there are so many different names of -- whether
25 something is a department or not, I really don't

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1 That's implementation.
2 Q. You said in 1988 you went to the brand
3 management department?
4 A. Uh-huh.
5 Q. Have you worked within any other departments
6 at Reynolds?
7 A. Since I've joined the brand management
8 department, I've always been there, to the present.
9 Q. What other departments are there within
10 Reynolds?
11 MR. WILLIAMS: Oh, come on. That's
12 overbroad. It can hardly be directed towards this
13 case.
14 MR. MAGEE: If you can answer --
15 MR. WILLIAMS: No. We're not going that far
16 afield, Peder. And if it takes an instruction not
17 to answer, I'll give it to him and take that one to
18 the judge.
19 This is about marketing and advertising.
20 Production, you know, export, that's irrelevant to
21 the case. And let's not waste time on it.
22 BY MR. MAGEE:
23 Q. Let's do this: How many departments are
24 there? I don't want you to testify all day about
25 the different ones. But if you can give me a sense

1 know.
2 BY MR. MAGEE:
3 Q. Okay. How about, what other departments
4 does the brand management department work with?
5 A. We work with the marketing research
6 department that we've already talked about. We work
7 with a department called promotions operations. We
8 work with purchasing. We work with the legal
9 department. We work with the PR department, with
10 consumer relations, R & D.
11 Q. That's research and development?
12 A. Yes. Manufacturing.
13 Q. All right. What other departments does the
14 marketing development department work with?
15 A. The marketing development department is
16 generally a part of the team that all of the
17 departments I described are involved in with the
18 brand management group for a particular brand.
19 For example, when I was the Camel research
20 manager, I was on a team with the Camel brand. And
21 a representative from departments like the ones I
22 described would also be a part of that team assigned
23 to Camel.
24 Q. And when you say "the Camel brand," what do
25 you mean? Are there specific people that you're

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1 referring to, or -- I'm not clear on it.

2 MR. WILLIAMS: She's already defined brand.

3 Are you looking for something beyond that?

4 MR. MAGEE: Yeah.

5 BY MR. MAGEE:

6 Q. It seems like you're using it in a different
7 context.

8 A. I see what you're saying. The Camel brand
9 as an organizational term means the team of Reynolds
10 employees who work on that brand.

11 Q. Okay.

12 A. In marketing.

13 Q. How many people are typically on a team?

14 A. Which team are you referring to? The Camel
15 brand or the team I described?

16 Q. Let's start with the Camel brand.

17 A. It varies. What time frame? Currently?

18 Q. Sure.

19 A. Now there are ten people.

20 MR. WILLIAMS: On the Camel brand?

21 THE WITNESS: Uh-huh. Yes.

22 BY MR. MAGEE:

23 Q. And is that high, low, or about average?

24 MR. WILLIAMS: For what?

25 BY MR. MAGEE:

1 organizational chart for Camel?

2 MR. VILAFRANCO: We've provided
3 organizational charts dating back to 1972. And I
4 believe that information is contained within those
5 charts. That was in response to Spec 47 of the
6 June 6 subpoena.

7 MR. MAGEE: If you can name them.

8 MR. WILLIAMS: Hold on. We've provided that
9 information. If you've got it, bring it out and
10 show it to her.

11 MR. MAGEE: I don't have it.

12 MR. WILLIAMS: Okay. Well, we're not going
13 to go into it, then.

14 MR. MAGEE: Are you going to instruct her
15 not to answer?

16 MR. WILLIAMS: You got it.

17 MR. MAGEE: Okay.

18 BY MR. MAGEE:

19 Q. Will you answer that question?

20 A. No.

21 MR. WILLIAMS: I'm sorry to do that, but if
22 that's what it takes to move this thing along and to
23 prevent the reflow --

24 MR. MAGEE: It's going to take more time if
25 we fight about it.

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1 Q. You just said that it varies depending on
2 the time.

3 MR. WILLIAMS: Is your question is it high,
4 low, or average for Camel or for brands in general
5 or for Reynolds?

6 MR. MAGEE: Yeah. For Camel.

7 THE WITNESS: For Camel? That's probably
8 average.

9 BY MR. MAGEE:

10 Q. How about for other brands?

11 A. There are some brands that have fewer brand
12 people on them than Camel, yes.

13 Q. What brands?

14 A. I think Vantage, More, Now have fewer brand
15 people assigned to them.

16 Q. Are there any brands that have more people
17 than Camel?

18 A. I think Camel has about the same as Winston
19 and Dorat. I don't believe any brand has more.

20 Q. Who are the people who are currently on the
21 Camel brand team?

22 A. You want me to go through all the people --
23 all those ten people?

24 I'm vice president.

25 THE WITNESS: I guess we didn't supply an

1 MR. WILLIAMS: I'm not fighting -- to
2 prevent the reflowing of ground. That's the purpose
3 of the subpoena, I thought.

4 THE WITNESS: Is it possible we could take a
5 quick break?

6 MR. MAGEE: Yeah, let's do that.

7 (RECESS TAKEN FROM 11:36 A.M. TO 11:50 A.M.)

8 BY MR. MAGEE:

9 Q. I've got a couple of follow-up questions of
10 some stuff that we were just talking about. The
11 first is the furthest back.

12 After you worked as an assistant marketing
13 research manager, I believe you said you were a
14 marketing research manager?

15 A. Yes.

16 Q. And that was from approximately '86 to '88?

17 A. Yes.

18 Q. I'm not sure I asked you what your
19 responsibilities were in that position. So if you
20 could describe those for me.

21 A. As marketing research manager, I was on
22 Camel, similar to my other responsibilities before
23 that level: I was in charge of setting up focus
24 groups, setting up quantitative research, doing
25 sales tracking and analysis. And I had generally

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1 one person report to me.
2 Q. Who was that person?
3 A. Different people reported to me during that
4 time, and sometimes I had no one.
5 Q. What was the position that reported to you?
6 A. Could have been marketing research analyst,
7 marketing research senior analyst, or assistant
8 marketing research manager.
9 Q. Moving up a little bit, in describing the
10 way the marketing development and the brand
11 management department interact, I believe you said
12 that the marketing development department provides
13 information for the company to make decisions.
14 Just so I'm clear, is it accurate that the
15 brand marketing department actually makes the
16 decisions?
17 MR. WILLIAMS: Which -- I think we better
18 define what decisions we're talking about.
19 THE WITNESS: What decisions do you mean?
20 BY MR. MAGEE:
21 Q. Okay. When we started out this line of
22 questioning, we started with a general statement
23 that says marketing development department provides
24 information to make decisions.
25 A. Yes.

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1 Q. Who makes the decisions?
2 A. Depends on the decision to be made.
3 Generally, the marketing department will recommend a
4 decision to management. In some cases, it's the CEO
5 that makes the decision. In some cases, the CEO
6 approves a decision that's made. Different levels
7 make decisions based on the type of -- what the
8 project is.
9 Q. You've mentioned the word "teams" a couple
10 of times. And one context you used the word "team"
11 was in describing the Camel brand team.
12 A. Yes.
13 Q. I think you used the word "team" in another
14 context. Is there another context for that word to
15 be appropriate?
16 A. All these titles change. Currently, we use
17 the term "business unit" for a brand. And so we
18 have the Camel business unit. I might also refer to
19 that as a team.
20 But the brand business unit will have
21 members from those departments I described
22 earlier -- PR, legal, manufacturing, promotion.
23 Those are members of the Camel brand business unit.
24 Q. Which you sometimes refer to as a team?
25 A. Could be our team, yes.

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1 Q. I'd like to show you a document that I hope
2 will be relevant to what we're talking about. And
3 maybe you can explain to me some of the information
4 in it.
5 MR. MAGEE: If we can get this marked as
6 Creighton Exhibit Number 1.
7 (Creighton Deposition Exhibit Number 1 was
8 marked for identification.)
9 BY MR. MAGEE:
10 Q. I'm handing you a document that's been
11 marked as Creighton Exhibit 1. It's also Bate
12 stamped MW006889 through MW006906.
13 Would you take a look at Exhibit Number 1,
14 please.
15 A. Is that the first page?
16 Q. Yes. The first page is MW006890.
17 A. Yes.
18 Q. I'm sorry. Let me just correct it for the
19 record. It's actually the second page, but it's the
20 first page we're going to be looking at.
21 The first page of Exhibit Number 1 says,
22 "Established Brands Research." Under that it says,
23 "Review Organization Role/Accountabilities."
24 On the first page, what is established
25 brands research?

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1 A. Established brands research is a part of the
2 marketing research department often referred to as
3 marketing development department. It's marketing
4 research managers responsible for individual brands
5 and the marketing research conducted on those
6 individual brands.
7 Q. Did you say that it's -- that the marketing
8 development department is part of the marketing
9 research department?
10 A. I don't recall if when this document was
11 written it was called marketing development
12 department or marketing research department. We've
13 assumed marketing development department.
14 The established brands research group was a
15 subset of the marketing development department.
16 Q. Turning to the second page of Exhibit 1, it
17 looks like an organization chart.
18 A. Yes.
19 Q. Looking at the chart, can you tell me
20 approximately what the time frame that this chart
21 refers to?
22 A. I don't see a date on the document. Based
23 on my role in that department, I believe it would be
24 the second half of 1985 or early 1986.
25 Q. On the second page of Exhibit 1 on the

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1 organization chart, your name, Fran Creighton, and
2 the name Camel appear in a box --
3 A. Yes.
4 Q. -- at what's the bottom of the organization
5 chart. And you're below somebody named Susan Nassar
6 who's listed as group manager, and then below
7 somebody named Alan Cox who's listed as the
8 director.
9 Did you work for Susan Nassar?
10 A. Yes. I reported to Susan Nassar at the time
11 of this organizational chart.
12 Q. And what was her job?
13 MR. WILLIAMS: It says "group manager."
14 THE WITNESS: She was group manager for
15 Century, Doral, Camel, Mofe, and Sterling.
16 BY MR. MAGEE:
17 Q. And at this time, 1985 to '86, your job was
18 assistant marketing research manager?
19 MR. WILLIAMS: It's been asked and answered
20 at least twice.
21 THE WITNESS: Yes.
22 BY MR. MAGEE:
23 Q. Based on this organization chart, did Susan
24 Nassar then report to Alan Cox?
25 A. Yes.

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1 Q. Below the chart, there's a line that says,
2 "In general, one assistant per manager." What does
3 that mean?
4 A. That there is likely to be an assistant for
5 any of these managers. It does not assume that
6 every manager has an assistant.
7 Q. And the only manager listed is Susan Nassar?
8 A. She would be the group manager. These are
9 combination of managers and assistant managers below
10 her.
11 Q. Okay. Beneath the line we just talked
12 about, there's a sentence that says, "Similar to
13 brand marketing organized on a brand basis." What
14 does that mean?
15 A. The marketing department was organized by
16 brand, and so, therefore, the established brands
17 research group was also organized by brand.
18 Q. And the last line is "Smaller brands are
19 combined by segments." What does "segments" mean?
20 A. I'm not sure what it's referring to.
21 Q. I'd like to direct your attention to the
22 third page of Exhibit Number 1, the first line under
23 that heading Number 2, "Role and Accountabilities."
24 It says, "Brand marketing is our sole end-user."
25 What does that mean?

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1 MR. WILLIAMS: Can we establish that this is
2 something she wrote before you're asking what is
3 meant by all this stuff? Let's establish a
4 foundation for this.
5 One of the things I'd like to avoid in these
6 depositions is presenting a document to a witness
7 who lacks knowledge of the document, hasn't seen it
8 before, and is asked to interpret what is meant. I
9 don't think that's an appropriate basis.
10 Now, if Ms. Creighton has seen the document
11 or is aware, that's fine. But let's establish that
12 first. Okay?
13 And if she is aware, then it's appropriate
14 to ask her what is meant by it, these certain
15 things. But it's not appropriate to present a
16 witness with a document and ask what is meant by it
17 if they lack personal knowledge about it.
18 BY MR. MAGEE:
19 Q. Ms. Creighton, are you familiar with this
20 document?
21 A. I don't recall ever seeing this document.
22 Q. We talked a little bit about the
23 organization chart. And based on that, you're able
24 to approximate the time frame.
25 Using your background, having worked at

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1 Reynolds since 1981 and worked in established brands
2 research --
3 A. Yes.
4 Q. -- can you tell me what is meant by the
5 sentence "Brand marketing is our sole end-user"?
6 MR. WILLIAMS: Same objection. She hasn't
7 seen this document before. She doesn't know who
8 wrote this. And you're asking her to interpret
9 somebody else's statement. Object to the form.
10 It's inappropriate and lacks foundation.
11 You still haven't laid an appropriate
12 foundation for this witness to testify about this
13 document.
14 MR. MAGEE: If you can answer.
15 THE WITNESS: Would you repeat your
16 question?
17 MR. MAGEE: Sure.
18 BY MR. MAGEE:
19 Q. What is meant by "Brand marketing is our
20 sole end-user"?
21 A. I'm not sure.
22 Q. Have you ever heard the expression "sole
23 end-user"?
24 A. I've heard the expression "end-user."
25 Q. What was the context in which you heard that

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1 expression?

2 A. That the work that we are accomplishing is

3 meant to support another group and that group would

4 be the end-user group. Marketing would be, in this

5 case, the end-user group, of the work that we

6 accomplish.

7 Q. And when you say "we accomplish," who are

8 you referring to?

9 A. Meaning the established brands research

10 group in this case.

11 Q. I don't have any more questions about

12 Exhibit Number 1 right now.

13 I'd like to ask you to identify some people

14 for me. Are you familiar with Susan Nassar?

15 A. Yes.

16 Q. And who is she?

17 A. Susan Nassar was my colleague and at one

18 time my boss in the marketing research department.

19 She left the company in 1986 or 1987.

20 MR. WILLIAMS: I'm sorry. When did she

21 leave? I missed that.

22 THE WITNESS: I'm searching my memory. I

23 believe she left the company in 1986 or 1987.

24 BY MR. MAGEE:

25 Q. Do you know why she left?

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1 A. I don't think that I could make an

2 assumption on what her thoughts were when she leave

3 the company.

4 Q. That's fine. What department was she in?

5 A. Marketing research department.

6 Q. You said that she was a colleague and at one

7 point a supervisor. Did you work directly with her?

8 A. When she was my supervisor, yes.

9 Q. What did you do for her?

10 A. She was the group manager over several

11 different brands. If I conducted marketing

12 research, generally I would review with her what the

13 work I was accomplishing was about, methodologies I

14 might select for a quantitative test, the results or

15 conclusions I might have arrived at in evaluating a

16 test. I would review those with her and see if I --

17 if she agreed.

18 Q. How long did she work at Reynolds?

19 A. I'm not sure.

20 Q. Have you had any contact or communications

21 with her during the past year?

22 A. Yes.

23 Q. Was she still working at Reynolds at that

24 point?

25 A. No.

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1 MR. WILLIAMS: She left in 1987, I think,

2 was the testimony.

3 THE WITNESS: '86 or '87.

4 BY MR. MAGEE:

5 Q. What did you talk to her about?

6 A. We're friends. Her husband is French, and

7 we have that in common. So we know each other on a

8 social basis.

9 Q. Are you familiar with Alicia Nance Mitchell?

10 A. No.

11 Q. Have you ever heard that name?

12 A. Only in the context of discussions about

13 litigation in the past year and a half.

14 Q. And with whom were those discussions?

15 A. I believe --

16 MR. WILLIAMS: Well, why don't you -- were

17 they with counsel?

18 THE WITNESS: They were with counsel, yes.

19 MR. WILLIAMS: Then we won't go any further,

20 I'm sure.

21 BY MR. MAGEE:

22 Q. Are you familiar with D.W. Tredennick?

23 A. No.

24 Q. Have you ever heard that name before?

25 A. No.

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1 Q. Are you familiar with F.H. Christopher, or

2 F.H. Christopher, Jr.?

3 A. He was at the company when I joined the

4 company. I believe he was in charge of

5 manufacturing.

6 Q. Did you ever work with F.H. Christopher?

7 A. No.

8 Q. You said he was with manufacturing. Do you

9 know what his specific job title was?

10 A. I recall that he was head of manufacturing.

11 I don't know the title.

12 Q. Are you familiar with W.L. Lingle?

13 A. No.

14 Q. Have you ever heard that name?

15 MR. WILLIAMS: Can you spell that, please?

16 MR. MAGEE: L-I-N-G-L-E.

17 THE WITNESS: No.

18 BY MR. MAGEE:

19 Q. You've never heard the name W.L. Lingle

20 before?

21 A. No.

22 Q. Are you familiar with Uziel Frydman? And

23 let me spell that, because I'm probably not spelling

24 that correctly. U-Z-I-E-L is the first name. And

25 the last name is spelled F-R-Y-D-M-A-N.

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1 A. No.
2 Q. Have you ever heard that name before?
3 A. No.
4 Q. Are you familiar with Stephen Perry?
5 A. Yes.
6 Q. Who is Stephen --
7 A. If it's the same person. I'm not sure. I
8 worked with a guy named Steve Perry when I was at
9 R.J. Reynolds Tobacco International, back in the
10 headquarters of Tobacco International in 1983.
11 Q. Was he your supervisor?
12 A. No.
13 Q. How did you work with him?
14 A. He was in the headquarters staff for
15 marketing research, I believe, while I was in that
16 training program. He's someone who I met with to
17 learn about the marketing research that was being
18 evaluated globally.
19 Q. Is Steve Perry still with R.J. Reynolds?
20 A. Not the Steve Perry I know, no.
21 Q. Do you know what his specific job title was?
22 A. I'm sorry, no.
23 Q. Are you familiar with Kay Duffy?
24 A. No.
25 Q. Have you ever heard that name before?

1 BY MR. MAGEE:
2 Q. What type of work did you do for Alan Cox?
3 A. The same work that I was doing on Camel
4 marketing research, any of the methodologies that I
5 selected --
6 MR. WILLIAMS: We've been through that.
7 THE WITNESS: The same kind of work that I
8 did for Susan Nassar. She reported to Alan Cox. We
9 reviewed that information with Alan. Alan was
10 responsible to be aware of all those things.
11 BY MR. MAGEE:
12 Q. Are you familiar with Dianne Burroughs?
13 A. Yes.
14 Q. Who's Dianne Burroughs?
15 A. She worked in the marketing research
16 department.
17 Q. What did she do in the marketing research
18 department?
19 A. She worked in strategic planning and
20 analysis, I believe.
21 Q. Is she still with the company?
22 A. No.
23 Q. Did you ever work directly with Dianne
24 Burroughs?
25 A. No.

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1 A. I don't think so.
2 Q. Are you familiar with Jerry Moore?
3 A. Yes.
4 Q. Who is Jerry Moore?
5 A. He currently works at R.J. Reynolds Tobacco.
6 He's in marketing research.
7 Q. Have you ever worked directly with Jerry
8 Moore?
9 A. No.
10 Q. What does he do within marketing research?
11 A. For years he was in charge of the
12 forecasting area for the company, forecasting
13 volume. I think he works in sales analysis now.
14 Q. Are you familiar with Alan Cox?
15 A. Yes.
16 Q. Who is Alan Cox?
17 A. He -- in the document review here, he was in
18 charge of established brands research. I knew him
19 in that position. I worked in his group. And he
20 subsequently left the company.
21 Q. Did you know when he left?
22 A. I'm sorry, I don't recall.
23 MR. WILLIAMS: You don't have to be sorry.
24 THE WITNESS: Thank you.
25 MR. MAGEE: Apology accepted.

1 Q. Are you familiar with Lynn Beasley?
2 A. Yes.
3 Q. Who is Lynn Beasley?
4 A. She's currently my boss.
5 Q. How long has she been your boss?
6 A. I worked for Lynn in late -- late 1988, when
7 I first came to marketing, up until when I moved to
8 Magna. I did not work for Lynn again until she
9 became vice president of Winston, which I believe
10 was in 1993, and I have worked for Lynn ever since.
11 Q. What is her job title?
12 A. Executive vice president of marketing.
13 Q. What do you do for Lynn Beasley?
14 A. Lynn is responsible for all of marketing.
15 She reviews all of the recommendations that I make
16 and works with me on deciding what we put in the
17 marketplace.
18 Q. Are you familiar with J.D. Weber, or Douglas
19 Weber?
20 A. Yes.
21 Q. Who is J.D. Weber?
22 A. Doug is in charge of the current established
23 brands research group at R.J. Reynolds.
24 Q. Have you ever worked directly with Doug
25 Weber?

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1 A. Many years ago, I believe I reported to Doug
2 for a short period of time, when I was still in the
3 marketing research department.
4 Q. Approximately what year was that?
5 A. I don't remember.
6 Q. Are you familiar with D.W. von Arx?
7 MR. WILLIAMS: Spell that.
8 MR. MAGEE: It's D.W., and then V-O-N, and
9 the last name is A-R-X.
10 THE WITNESS: Yes.
11 BY MR. MAGEE:
12 Q. Who is Mr. von Arx?
13 A. He was president of our company for a short
14 time many years ago.
15 Q. When you say "of our company," are you
16 referring to Reynolds as I defined it?
17 A. RJR Tobacco.
18 Q. When was he president of Reynolds?
19 A. I don't recall what year.
20 MR. WILLIAMS: Peder, we've given you all
21 this information. I don't know if you want her own
22 personal observations here. But all of this
23 information was provided before.
24 And let me just suggest if you want to
25 shortcut this so we can get done by tomorrow, why

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1 don't you save these -- if you don't have a copy of
2 that the information we provided before, why don't
3 you call your office and get it sent down, or we can
4 find it for you --
5 MR. MAGEE: I'm trying to get out her
6 relationship with these people. I realize I may be
7 covering some stuff that you turned over, but sorry.
8 MR. WILLIAMS: All right. I mean, you got
9 today, you got tomorrow. So whatever. We're
10 breaking tomorrow. I just want to make sure we get
11 done tomorrow.
12 MR. MAGEE: I'm not sure I heard the --
13 MR. WILLIAMS: She said he was the president
14 of the company, a number of years ago. She could
15 not recall when he was president of the company,
16 which was RJR Tobacco.
17 How am I doing?
18 THE WITNESS: Good recall.
19 MR. WILLIAMS: Thank you.
20 BY MR. MAGEE:
21 Q. Are you familiar with Rick Cauffield?
22 A. Yes.
23 Q. Who is Rick Cauffield?
24 A. He was senior brand manager on Camel when I
25 worked as marketing research manager in 1986.

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1 Q. Did you work directly with him?
2 A. I did not work for Rick, but he was the
3 person that I was working with in providing
4 marketing research to the Camel brand. He was in
5 charge of the Camel brand at the time.
6 Q. Are you familiar with S.L. Snyder?
7 A. Yes. That would be Steve Snyder.
8 Q. Who is Steve Snyder?
9 A. He was in the marketing research department.
10 I don't recall which years.
11 Q. Did you work directly with him?
12 A. I did not work for Steve. He was a
13 colleague on another -- on other brands.
14 Q. Thank you.
15 MR. MAGEE: Can we go off the record for a
16 second.
17 (Discussion off the record.)
18 (Lunch recess taken at 12:21 p.m.)
19 AFTERNOON SESSION MAY 19, 1998
20 (Commencing at 1:32 p.m.)
21 (Mr. Blynn exits the room.) EXAMINATION
22 BY MR. MAGEE:
23 Q. Let me just remind you that you're still
24 under oath.
25 MR. WILLIAMS: She knows that. You don't

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1 have to remind her.
2 BY MR. MAGEE:
3 Q. All right. Just before lunch we were going
4 through a list of people which you identified for
5 me. You mentioned that Diane Burrows worked in the
6 strategic planning and analysis. I wasn't clear on
7 whether that was a department or group or what it
8 was.
9 A. That would be a group in the marketing
10 research department.
11 Q. So the strategic planning and analysis group
12 is within the marketing research department, is that
13 correct?
14 A. It was when Diane Burrows was working there
15 Q. What time frame was that?
16 A. That group existed when I joined the
17 company. I'm not exactly sure how long the group
18 was in existence.
19 Q. Is the group currently in existence?
20 A. We do not have a group called strategic
21 planning and analysis currently. Well, I have to be
22 careful about the name of the group. The group that
23 Diane was in does not currently exist. There may be
24 a planning strategic group in the company.
25 Q. Why was the group that Diane Burrows worked

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1 in dissembled?
2 A. I don't know. I don't know.
3 Q. Okay. Is there a group currently that does
4 the same type of work that the strategic planning
5 group did when Diane Burrows worked there?
6 A. There is a strategic planing group
7 currently.
8 Q. What --
9 A. I can't say if they do exactly the same
10 thing as the group she was in before. I don't know.
11 Q. Let me do it from this angle: What did the
12 strategic planning group do? And I'm talking about
13 the time period when Diane Burrows worked for the
14 strategic planning group.
15 A. I never worked in the group, I really am not
16 that familiar with all the different things that
17 they did.
18 Q. Do you know any of the jobs that they did?
19 A. They looked at trends in the marketplace in
20 order to provide input to the marketing department.
21 Q. When you say the marketplace, are you
22 talking about the cigarette marketplace?
23 A. Yes.
24 Q. What types of trends are you referring to?
25 A. They analyzed the sales data, they analyzed

1 A. I don't know.
2 Q. Do you know who heads the current strategic
3 planning group?
4 A. Scott Keith.
5 Q. Do you know anyone else who works in the
6 strategic planning group?
7 A. I don't know what their particular
8 assignments are or what umbrella they're under.
9 Jerry Moore works in that group as well.
10 Q. Can you think of any others?
11 A. This would probably have been a part of the
12 organization charts we've provided for this case.
13 MR. WILLIAMS: Did you have a chance to get
14 that document sent up sometime?
15 MR. MAGEE: Which document is that?
16 MR. WILLIAMS: The organizational charts we
17 provided. Would you like us to provide them again?
18 MR. MAGEE: No. I don't think you need to
19 provide them again. Some of the documents that I've
20 seen that have organizational charts are undated or
21 we don't know who prepared them. And the purpose of
22 this deposition is to find out what you know. So
23 I'm not sure that would answer my question.
24 BY MR. MAGEE:
25 Q. If you don't know any other people in this

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1 share smoker data to look at trends in -- among
2 young adult smokers.
3 Q. Can you think of anything else?
4 MR. WILLIAMS: Can I have a more specific
5 question? Can you think of anything else about
6 what?
7 BY MR. MAGEE:
8 Q. Can you think of any other trends that that
9 would reflect?
10 A. That's a broad description of what they did.
11 I'm sure there are many more things. I don't
12 specifically recall.
13 Q. Okay. Is there currently at Reynolds a
14 group or a department that looks at trends in the
15 marketplace?
16 A. There is currently a group that looks at
17 sales data, analyzes sales data, and provides that
18 information to the company. And that would be in
19 the strategic planning group.
20 Q. So there currently is a strategic planning
21 group?
22 A. I believe that's what it's called.
23 Q. What department is the strategic planning
24 group, the currently strategic planning group,
25 located in?

1 group, you can tell me. If you can think of any
2 others, I would like to hear them.
3 A. What I'm not sure of is the definition of
4 individual responsibilities and whether it really
5 falls under strategic planning itself. There are
6 others that report to the Scott Keith that I'm aware
7 of, but I'm not sure that they fall under that
8 particular function.
9 Q. Why don't you give me the names of the
10 people you're thinking of that report to Scott Keith
11 and we'll move on.
12 A. I think the only other person I would put
13 there is Frank Petto, P-E-T-T-O.
14 Q. Let's switch gears a little bit: Are you
15 familiar with National Family Opinion, Incorporated?
16 A. Yes.
17 Q. What is National Family Opinion,
18 Incorporated?
19 A. Can you give me a sense of a time frame
20 you're thinking of, or any association I might have
21 or understanding of who they are?
22 Q. Let's start with when did you first hear of
23 -- for shorthand, let's just call them NFO. When
24 did you first hear of NFO?
25 A. During the two-year training period in

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1 marketing research. I worked in the product
2 research area, NFO was the supplier who fielded
3 product testing among adult smokers for the product
4 research group.

5 Q. So that was in approximately in '81 to 83?

6 A. It would have been during that time that I
7 was more closely associated with that group, yes.

8 Q. And you say NFO provided product testing
9 information on adult smokers?

10 A. They were responsible for fielding the
11 product tests among adult smokers for the company.

12 Q. What does that mean?

13 A. When we do a product test, we put our
14 products, our cigarettes, in white packs, no brand
15 identification -- this is in most cases. No brand
16 identification. We have a supplier who identifies
17 smokers of the age group that we want to test among
18 adult smokers; 21 to 34, 35 to 49, Marlboro smokers,
19 Camel smokers, they define the group.

20 We put two packs of product, generally, in
21 a box, and that box is sent to those smokers who
22 have been identified as a part of their panel. They
23 instruct the adult smoker to answer a questionnaire
24 in regard to those products, they provide to us the
25 results of those questionnaires.

1 She answered this.

2 BY MR. MAGEE:

3 Q. So that's the only context?

4 A. Yes.

5 MR. WILLIAMS: That's what she said.

6 BY MR. MAGEE:

7 Q. Did you work with NFO product testing after
8 1983?

9 A. When I was in the product testing group, I
10 worked with them as a supplier of the product
11 research group. After that, any results that were
12 reported on product tests were generally reported by
13 the marketing research person. It may have been
14 NFO, I'm not sure how long, or even if they may even
15 still be the supplier for product testing.

16 Q. When were you in the product testing group?

17 A. During that two-year period for about three
18 months.

19 Q. Okay. Since 1983, has anybody ever prepared
20 any work for you using NFO data of any type?

21 A. I don't think so.

22 Q. Beyond the product testing group, are you
23 aware of any other groups or departments that have
24 received NFO data?

25 A. No, I'm not.

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1 Q. Does NFO do anything other than that?

2 A. I'm not sure if NFO is currently in charge
3 of fielding our product test, and that's all I knew
4 that they were involved with when I worked in that
5 department.

6 Q. Do you know whether NFO ever collected data
7 on smoking behavior?

8 A. I don't know.

9 Q. Do you know whether they currently collect
10 data on smoking behavior?

11 A. I don't know.

12 Q. Do you know whether Reynolds has obtained
13 NFO data related to smoking behavior?

14 A. I don't know.

15 Q. You said that when you were at Reynolds in
16 1981, the company did get data from NFO. Do you
17 know when they first started to obtain data from
18 NFO?

19 A. No. I don't know.

20 Q. Is the only context in which you're familiar
21 with NFO product testing?

22 MR. WILLIAMS: Asked and answered. She gave
23 you the only thing she said she knew about NFO. You
24 asked four or five other questions about other
25 things, she said that she didn't know anything else.

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1 Q. Do you know whether Reynolds has ever
2 conducted surveys of people under the age of 18?

3 A. When I joined the had company, it was made
4 very clear to me that we had a firm policy that we
5 conducted marketing research among adults 18 years
6 old and older who were smokers.

7 Q. But, I guess what I'm asking is: Whether
8 you've ever heard or know of any surveys conducted
9 by Reynolds?

10 A. I do not personally know of any surveys
11 conducted by Reynolds among underage youth.

12 Q. Do you know whether Reynolds has ever
13 collected any information concerning people under
14 the age of 18?

15 MR. WILLIAMS: Excuse me. With respect to
16 smoking?

17 MR. MAGEE: Yeah. We're talking about
18 Reynolds --

19 MR. WILLIAMS: Let's be clear with the
20 question.

21 MR. MAGEE: I'm sorry. What?

22 MR. WILLIAMS: Let's be clear with the
23 question. Any smoking research on people under 18?

24 MR. MAGEE: No. Any information on people
25 under 18.

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1 MR. WILLIAMS: Related to smoking, I assume?
2 MR. MAGEE: Well, when I say Reynolds, I'm
3 talking about R. J. Reynolds Tobacco Company.
4 MR. WILLIAMS: Right.
5 THE WITNESS: Surveys about smoking, or
6 about --
7 BY MR. MAGEE:
8 Q. About anything. Any surveys -- actually,
9 it's not surveys. Let me repeat the question: Has
10 Reynolds ever collected any information concerning
11 people under the age of 18?
12 A. I'm not aware of any information that has
13 been collected among anyone under the age of 18.
14 It's been a firm policy that we conduct our research
15 among smokers 18 years old and older.
16 Q. Okay. Do you know whether Reynolds has ever
17 paid someone else to conduct surveys of people under
18 the age of 18?
19 A. I don't know.
20 MR. WILLIAMS: I'm assuming among all these
21 questions here are asking about smoking research.
22 MR. MAGEE: No. I'm asking about any
23 surveys, any information.
24 BY MR. MAGEE:
25 Q. I think you just testified --

1 Q. Okay. Are you aware of any studies on
2 people under the age of 18 for any reason?
3 A. No.
4 Q. Do you know whether Reynolds has ever paid
5 someone else to conduct surveys of people under the
6 age of 18?
7 A. I don't know.
8 Q. Do you know if Reynolds has ever paid
9 someone else to collect any information concerning
10 people under the age of 18?
11 A. I'm not aware of any.
12 Q. Do you know whether Reynolds has ever
13 received from a third party the results of surveys
14 of people under the age of 18?
15 A. I'm not aware of it.
16 Q. Do you know whether Reynolds has ever
17 received from a third party any information
18 concerning people under the age of 18?
19 MR. WILLIAMS: It's hopelessly overbroad.
20 I've made the objection before. I'm continuing
21 objection to the extent your questions are not about
22 smoking and not limited to smoking.
23 BY MR. MAGEE:
24 Q. Do you want me to repeat the question?
25 MR. WILLIAMS: You don't need to repeat the

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1 MR. WILLIAMS: They have employees, they
2 have employee benefit plans. They're going to have
3 contact with people who are under 18, the children
4 of the people who work here. So that's why I try to
5 focus your questions to what I think we're here
6 about today, which is marketing research and
7 smoking.
8 BY MR. MAGEE:
9 Q. Well, are you familiar with any of those
10 things? I mean, all I'm asking is what your
11 knowledge is.
12 MR. WILLIAMS: Well, I'm trying to help.
13 I'm trying to limit this to smoking so we're clear
14 about what the question is when you're talking about
15 surveys of underage people, smoking behavior.
16 BY MR. MAGEE:
17 Q. Okay. Well, what we can do -- well, if
18 you've answered the question -- what did you think I
19 meant when I asked the question? Were you answering
20 the question with respect to the surveys on smoking
21 by people under the age of 18?
22 A. My personal experience in marketing
23 research, I have not conducted, nor am I aware of,
24 any marketing research studies among underage
25 youths.

1 question. I'm objecting to it. She said, "No."
2 THE WITNESS: No. BY MR. MAGEE.
3 Q. Ms. Creighton, are you familiar with the
4 expression franchise aging?
5 A. No.
6 Q. Have you ever heard that expression?
7 MR. WILLIAMS: She just said, "No."
8 THE WITNESS: I don't believe I have.
9 BY MR. MAGEE:
10 Q. Are you familiar with the process of young
11 adult smokers entering the smoking population and
12 older smokers leaving the market?
13 MR. WILLIAMS: Wait a minute. Can I have --
14 let's have that question read back. Are you
15 familiar with what?
16 (Question read back.)
17 MR. WILLIAMS: Object. Compound, at least,
18 vague. You can rephrase if you want?
19 THE WITNESS: What do you mean specifically
20 about the process you're asking about?
21 BY MR. MAGEE:
22 Q. Have you ever heard of that process?
23 MR. WILLIAMS: Object. Compound, vague,
24 lacks foundation.
25 THE WITNESS: Will you be more specific

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1 about what you're asking?
2 BY MR. MAGEE:
3 Q. Well, I'm trying to ascertain whether you've
4 heard of a process, and I think of it as a term of
5 art almost, and that is the idea of young adult
6 smokers entering the smoking population and older
7 smokers leaving the market.

8 MR. WILLIAMS: He hasn't asked a question
9 yet.

10 THE WITNESS: And so what is the question?

11 BY MR. MAGEE:

12 Q. Have you ever heard of that theory or that
13 idea?

14 MR. WILLIAMS: Same objection. Vague and
15 compound.

16 THE WITNESS: I just have difficulty
17 understanding what the question is you're asking me.

18 MR. WILLIAMS: You're reading from a
19 document. Why don't you show her the document if
20 you want to get to the bottom of this. Ask her
21 what's in the document.

22 MR. MAGEE: We'll do that at some point, but

23
24 MR. WILLIAMS: All right.

25 THE WITNESS: Okay.

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1 BY MR. MAGEE:

2 Q. If you can answer the question --

3 MR. WILLIAMS: Well, she's made it clear
4 that she can't answer the question you're posing.

5 BY MR. MAGEE:

6 Q. Can you answer the question?

7 A. No.

8 MR. MAGEE: Okay. Can we mark this
9 Creighton Exhibit Number 2, please?

10 (Exhibit Number 2 marked for identification.)

11 BY MR. MAGEE:

12 Q. I'm going to hand you a document that's been
13 labeled Creighton Exhibit Number 2. It's Bates
14 stamped at the bottom RH0001975 to RH0001980.

15 MR. WILLIAMS: Do you have another copy?

16 MR. MAGEE: Yeah.

17 BY MR. MAGEE:

18 Q. Take a second to look at that.

19 A. Are you asking me to read this whole
20 document?

21 Q. Just take a quick look at it.

22 A. (Witness reviews document.)

23 MR. WILLIAMS: I thought she indicated that
24 she joined the company in, what, 1981?

25 THE WITNESS: '81.

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1 MR. WILLIAMS: I don't know how you're going
2 to lay a foundation for this. This is dated
3 February 1st, 1980. Go ahead.

4 MR. MAGEE: Thanks.

5 BY MR. MAGEE:

6 Q. Have you ever seen this document before?

7 A. No, I have not.

8 Q. Have you ever seen a document discussing
9 teenage smokers 14 to 17?

10 A. No, I have not.

11 Q. Have you ever seen any documents referring
12 to new adult smokers and quitters?

13 A. I have not.

14 Q. Do you know what the expression new adult
15 smokers means?

16 A. It's not an expression that's used in
17 on-going discussions in our department.

18 Q. Have you ever heard anybody at Reynolds use
19 the expression new adult smokers?

20 A. I have not.

21 Q. Are you familiar with the expression
22 quitters?

23 A. I've seen the expression quitters used
24 before, yes.

25 Q. How has it been used?

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1 A. People decide to quit smoking everyday.
2 Adult smokers who decide to no longer smoke.

3 Q. Is that an expression that's used at
4 Reynolds currently?

5 A. It describes that adult who decides to quit
6 smoking.

7 Q. I'd like to direct your attention to the
8 first paragraph on the first page of Creighton
9 Exhibit Number 2. If you could read that.

10 MR. WILLIAMS: Let's lay the foundation.
11 She has not seen this before, and this pre-dated her
12 time at Reynolds. We're not going to put documents
13 in front of a witness that they've never seen before
14 and ask them to interpret it. We're just not going
15 to do it.

16 MR. MAGEE: I haven't asked the question
17 yet.

18 MR. WILLIAMS: Ask the question, and we'll
19 move on.

20 THE WITNESS: Could you ask the question
21 again?

22 MR. MAGEE: I haven't asked the question. I
23 would like you to take a look at the first --

24 MR. WILLIAMS: He wants you to read the
25 first paragraph.

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1 BY MR. MAGEE:
2 Q. You don't have to read it out loud.
3 A. Oh, okay. (Witness reviews document.)
4 Okay.
5 Q. All right. There's a reference in there to
6 NFO product testing.
7 A. Yes.
8 Q. Based on your experience at Reynolds, does
9 that mean National Family Organization, Incorporated
10 product testing data?
11 MR. WILLIAMS: Wait. Wait. Wait. Now
12 you're asking her what it means. I thought we were
13 pretty clear about that. I object to the question
14 and instruct her not to answer. If you have another
15 question, we're not going to ask her to interpret
16 what other people mean about this document, go
17 ahead. But she's never seen it before and it
18 pre-dated her time. You should ask the person about
19 this who wrote it, not Mrs. Creighton.
20 BY MR. MAGEE:
21 Q. Will you answer the question?
22 MR. WILLIAMS: No.
23 THE WITNESS: No.
24 MR. WILLIAMS: I instruct her not to.
25 (Exhibit Number 3 marked for identification.)

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1 MR. WILLIAMS: By the way, is this a
2 complete document?
3 MR. MAGEE: It's as complete as we got from
4 you.
5 MR. WILLIAMS: I don't see the author.
6 THE WITNESS: It-- it's up here
7 (indicating).
8 BY MR. MAGEE:
9 Q. I'm going to give you a document that's been
10 marked Creighton Exhibit Number 3. It's Bates
11 stamped at the bottom 80M00578. It's a memo dated
12 July 22, 1980 to Horrigan from Long.
13 MR. WILLIAMS: Do you have a copy?
14 BY MR. MAGEE:
15 Q. Ms. Creighton, have you ever seen Creighton
16 Exhibit Number 3?
17 A. No. This was before my employment.
18 Q. Have you ever heard reference to a MDD
19 report on teenage smokers 14 to 17?
20 A. I have not.
21 Q. Do you know who Mr. E.A. Horrigan is?
22 A. Mr. Horrigan was -- I believe he was the
23 C.E.O. He was the head of the company.
24 Q. The head of Reynolds?
25 A. Yes.

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1 Q. Is he currently the head of Reynolds?
2 A. No.
3 Q. Are you familiar G.H. Long?
4 A. Yes.
5 Q. And who is he?
6 A. He was president of R. J. Reynolds Tobacco
7 when I joined the company.
8 Q. Is he still with the company?
9 A. No.
10 Q. You said you're not familiar with Creighton
11 Exhibit Number 3, is that correct?
12 A. Yes.
13 Q. Have you ever heard anybody talk about a
14 1980 memo to Horrigan from G.H. Long regarding MDD
15 report on teenage smokers?
16 A. I believe that in the course of litigation
17 in the last year-and-a-half I've heard about this
18 memo. I've never seen this memo before.
19 Q. When you say in the course of litigation
20 you've heard about it, what do you mean?
21 A. I've heard that a memo existed on this
22 topic.
23 Q. And who told you that?
24 A. I believe it was counsel.
25 Q. And who are you referring to by counsel?

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1 A. One of the counsel. Actually, I'm not sure
2 if it was one of you, or if it was somebody in
3 another preparation for the case.
4 MR. WILLIAMS: Sounds like it came up in
5 litigation. So I instruct her not to answer any
6 further questions on that at this time.
7 THE WITNESS: I've never seen it outside of
8 that.
9 BY MR. MAGEE:
10 Q. Are there any other instances in which
11 you've heard about --
12 A. No.
13 Q. -- this memo?
14 A. No.
15 Q. Have you ever heard other people, excluding
16 counsel, talking about this memo?
17 A. No, I have not.
18 Q. Going back to Creighton Exhibit Number 2 for
19 a second -- do you still have that available?
20 MR. WILLIAMS: I think the Court Reporter
21 has Exhibit 2.
22 THE WITNESS: Yes.
23 BY MR. MAGEE:
24 Q. I believe you've testified you've never seen
25 Creighton Exhibit Number 2 before, is that correct?

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1 A. That's correct.
2 Q. Have you ever heard anybody else discuss the
3 document that's been marked as Creighton Exhibit
4 Number 2?
5 A. No, I have not.
6 Q. Have you ever talked to anybody about the
7 document that's been marked Creighton Exhibit Number
8 2?
9 A. No, I have not.
10 Q. You have not?
11 A. I have not.
12 (Exhibit Number 4 marked for identification.)
13 BY MR. MAGEE:
14 Q. Ms. Creighton, I'm going to hand you a
15 document that's been marked as Creighton Exhibit
16 Number 4. It's also marked EX006, and it's a March
17 25, 1982 memo to Jeannie Marshall from Jack Wolf.
18 MR. WILLIAMS: Do you have a copy?
19 MR. MAGEE: I'm sorry.
20 BY MR. MAGEE:
21 Q. Ms. Creighton, have you ever seen Creighton
22 Exhibit Number 4?
23 A. I do not recall seeing this document.
24 Q. I would like to direct your attention to the
25 bottom of Creighton Exhibit Number 4, the c.c. list.

1 A. I don't know the name of the department,
2 sales analysis.
3 Q. Are you familiar with Jack Wolf?
4 A. Yes.
5 Q. Who is Jack Wolf?
6 A. Currently, or at this time?
7 Q. Let's start out with this time, March 25th,
8 '82?
9 A. When I joined the company in 1981, Jack Wolf
10 was the head of the Greensboro office for this
11 company, M/A/R/C, a marketing research firm.
12 Q. Is he still the head of the Greensboro
13 office of M/A/R/C?
14 A. He is not.
15 Q. Do you know what he's doing currently?
16 A. He is the head of a part of the this
17 company, which is called Target Base Marketing,
18 which is database marketing.
19 Q. This company, meaning M/A/R/C, or this
20 company, meaning Target Base?
21 A. I believe Target Base is a part of M/A/R/C,
22 and he is located in Dallas, Texas.
23 Q. Do you know whether Jack Wolf ever worked
24 for Reynolds?
25 A. I don't believe so.

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1 Does your name appear on the c.c. list?
2 A. Yes, it does.
3 Q. Since your name is on the c.c. list, is
4 there any reason to think you didn't receive this
5 document?
6 A. I was in this group during that training
7 period for two years that I mentioned from 1981 to
8 1983. I worked with Jeannie Marshall for a very
9 short time. I may have received this document
10 during that time, or even after, because that could
11 happen. I don't recall receiving the document.
12 Q. Who is Jeannie Marshall?
13 A. Jeannie works at R. J. Reynolds currently.
14 Q. In what capacity?
15 A. She's currently in sales analysis.
16 Q. What does that mean?
17 A. She reports share market information on the
18 company's performance, as well as our competitors.
19 Q. And to whom does she report that
20 information?
21 A. She reports it to a broad number of people
22 in the company in different departments, because
23 this is a benchmark for our performance on a
24 month-to-month basis.
25 Q. What department is Jeannie Marshall in?

1 Q. What is M/A/R/C?
2 MR. WILLIAMS: Would you spell that for the
3 record? I have M-A-R-C.
4 THE WITNESS: I believe it stands for
5 Marketing and Research Corporation.
6 MR. WILLIAMS: Would you look at that? I
7 believe it says counselors down a the bottom.
8 THE WITNESS: Oh, counselors. Thank you. I
9 didn't see that, John.
10 BY MR. MAGEE:
11 Q. Are you familiar with Dawn August, who is
12 mentioned in the first paragraph of this document?
13 A. I don't recall.
14 Q. The first sentence of the document says,
15 "This is a follow-up to the memo I sent you earlier
16 that dealt with teenage smokers." Do you know what
17 memo is referenced that first sentence?
18 A. I do not.
19 Q. Do you know why -- strike that. You said
20 Jeannie Marshall worked for Reynolds, is that
21 correct?
22 A. That's correct.
23 Q. Why would an employee of Reynolds receive
24 information regarding teenage smoking incidents and
25 consumption?

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1 A. I have no idea why.
2 Q. Do you know what the data contained in this
3 memo was used for?
4 A. No, I don't.
5 Q. Let me direct your attention to the second
6 paragraph on Creighton Exhibit Number 4. It reads,
7 "I've taken her findings one step further and
8 attempted to quantify the consumption figures to
9 relate them to the factor you use to reduce the MSA
10 data." Do you know what MSA is?
11 A. Yes. MSA data is shipment data, which is
12 reported sales from our company to wholesalers and
13 jobbers. MSA is the supplier that assembles all of
14 the shipment data from our company, as well as our
15 competitors, and reports industry volume.
16 Q. I'm looking at the list of names and the
17 list at the bottom of Creighton Exhibit Number 4.
18 Who is Martha Abbott?
19 A. She's an R. J. Reynolds employee. She was
20 in marketing research at the time.
21 Q. She's a current employee of Reynolds?
22 A. She is.
23 Q. What is her job title currently?
24 A. I don't know her job title currently.
25 Q. Do you know what she does at Reynolds?

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1 She's still working in the marketing
2 research department of Reynolds. I believe she may
3 be -- I'm not sure.
4 Q. Who is Janis Robertson?
5 A. Janis also worked in the marketing research
6 department. She's still at Reynolds, and she works
7 in the library.
8 Q. Why would the library receive this type of
9 memo?
10 A. She wasn't in the library at that time.
11 She's currently working in the library.
12 Q. Oh, okay. I'm sorry. I misunderstood you.
13 Who is Midge Barnes?
14 A. Midge used to work for R. J. Reynolds in the
15 marketing research department.
16 Q. Do you know when she left the company?
17 A. I'm sorry. I don't know.
18 Q. Who is Linda Mabey, M-A-B-E-E?
19 A. Linda was Jeannie Marshall's boss. She
20 worked in the market research department. She left
21 the company.
22 Q. Do you know when she left the company?
23 A. I don't know.
24 MR. MAGEE: Do you mind if we take a break?
25 THE WITNESS: Fine.

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1 (Recess from 2:20 p.m. to 2:34 p.m.)
2 (Mr. Villafranco leaves the room.)
3 BY MR. MAGEE:
4 Q. Ms. Creighton, if you would, I would like to
5 talk a little bit, and we touched upon it morning,
6 but maybe expand on it a bit, and that's to talk
7 about how advertising campaign is developed at
8 Reynolds. What I would like you to do, if you can,
9 is take me through the life span of an ad campaign.
10 MR. WILLIAMS: I -- I'm going to need a more
11 specific question. Take you through the life span?
12 What you talked about this morning is how they
13 brought something to implementation stage. Do you
14 want her to go through public life span, or --
15 MR. MAGEE: No.
16 BY MR. MAGEE:
17 Q. When I say lifespan, I mean from -- I guess
18 from the inception in somebody's mind to the
19 dissemination of the advertising to the public.
20 MR. WILLIAMS: All right. She's already
21 taken you through to the implementation stage. I
22 don't want to go through that. If you have a
23 specific question, fine. She's already answered the
24 question from idea through implementation. She
25 talked to you about the focus groups what happened

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1 if somebody liked the focus group concept, what
2 happened if somebody doesn't like to the focus group
3 concepts. We've been through that area.
4 MR. MAGEE: Let me just cut you off. What I
5 want to do is even before the focus group. This
6 morning it was helpful and it was informative, but I
7 want to focus a little bit tighter on it and go
8 through the actual steps.
9 MR. WILLIAMS: Then ask her a specific
10 question, because she's taken you through the steps.
11 BY MR. MAGEE:
12 Q. Okay. The question I have is: How does an
13 ad campaign start?
14 MR. WILLIAMS: That's been asked and
15 answered.
16 BY MR. MAGEE:
17 Q. You can answer the question.
18 A. Can you be more specific in regard to a
19 certain ad campaign, or a certain brand.
20 Q. We can use -- we can use Camel brand, since
21 that's really why we're all here. Let's say that
22 there's a -- Camel wants to have a new ad campaign,
23 they don't like what they've got right now, and
24 they're going to re-do things. What would be the
25 first step in creating an ad campaign for Camel?

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1 MR. WILLIAMS: Asked and answered.
2 BY MR. MAGEE:
3 Q. Go ahead.
4 (Interruption in proceedings, phone rings.)
5 (Off the record.)
6 BY MR. MAGEE:
7 Q. Do you want the question read back?
8 A. That would be helpful.
9 MR. WILLIAMS: To save some time, too, if
10 we're doing a hypothetical Reynolds campaign and a
11 hypothetical Camel campaign, then I assume at some
12 point you're going to want to ask about Joe Camel.
13 Would you like her to take you through how the Joe
14 Camel campaign was created?
15 MR. MAGEE: Let's start with the
16 hypothetical.
17 Court Reporter, could you read the question?
18 (Question read back.)
19 THE WITNESS: Okay.
20 MR. WILLIAMS: Object. Vague, not even
21 covered this morning.
22 THE WITNESS: The first step would be to
23 determine what the perceptions are of the brand
24 among adult smokers who currently smoke the brand.
25 So we would go to focus groups and we would talk to

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1 Camel smokers 21 years old and older and ask them
2 what their perceptions of the brand are. We might
3 also ask perceptions of the brand among competitive
4 adult smokers, 21 years of age and older, such as
5 Marlboro smokers. In the case of Camel, for
6 example, we find out what those perceptions are,
7 what the negative perceptions are, and the positive
8 perceptions among adult smokers and we decide that
9 we would like to develop an idea with the
10 advertising agency for a new advertising campaign.
11 The advertising agency would come back with
12 several different ideas on how they think that we
13 could create a message that would be liked by adult
14 smokers of Camel, as well as adult smokers of
15 competitive brands. We would probably go back to
16 focus groups among adult Camel smokers, as well as
17 adult competitor smokers, to see if the concepts
18 were communicating a message that was appealing,
19 that Camel adult smokers liked, because they wanted
20 to stay with the brand, and that might appeal to a
21 competitive adult smoker to consider switching to
22 the brand.
23 We would look at all those options, we would
24 probably go back and make refinements to the idea
25 that seemed to be the most appealing, and ultimately

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1 move to a quantitative communications test of the
2 idea among adult competitive smokers, as well as
3 adult franchise smokers, Camel franchise smokers.
4 We would analyze those results. The campaign that
5 the advertising that was the most appealing that
6 achieved the perceptions that we wanted to achieve
7 for the brand, then would like be recommended.
8 (Mr. Villafranco enters the room.)
9 BY MR. MAGEE:
10 Q. Is that it?
11 MR. WILLIAMS: I'm sorry. What do you mean
12 is that it?
13 BY MR. MAGEE:
14 Q. Is that it?
15 MR. WILLIAMS: Are you saying is that the
16 end of her answer?
17 MR. MAGEE: Yeah.
18 MR. WILLIAMS: Okay.
19 THE WITNESS: That pretty much describes the
20 process that we go through in developing
21 advertising.
22 BY MR. MAGEE:
23 Q. Thank you. You've made a distinction a
24 couple of times today between an advertisement and a
25 promotion. Just so I'm understanding you, could you

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1 define for me what an advertisement is?
2 A. Versus a promotion?
3 Q. Yes.
4 A. An advertisement would be a message about
5 our brand. Advertisements are usually in magazines,
6 in newspapers, or on billboards.
7 A promotion generally refers to an
8 incentive that we would provide to adult smokers to
9 purchase the brand.
10 Q. Can you give me an example of a promotion?
11 A. A promotion could be a coupon; it could be a
12 value-added promotion, like buy two packs of
13 cigarettes, get one free; could be a price discount
14 on a brand, like 20 cents off in the store. Those
15 are examples of promotions.
16 Q. What is a point of sale, or POS, I've seen
17 references to?
18 A. POS, or point of sale, refers to advertising
19 messages that are displayed that are in retail
20 stores where our products are displayed and sold.
21 Q. So point of sale would be a type of
22 advertisement from this definition you've just given
23 me between advertisement and promotion?
24 A. Yes. We would call it retail advertising.
25 Point of sale, though, let me be sure I'm clear,

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1 could also have a promotion message on it. We would
2 have a piece of point of sale that says, "Buy two,
3 get one free."

4 **Q. Okay. On the hypothetical you just outlined**
5 **for me, we were talking about the development of an**
6 **advertising campaign. Is there a parallel track for**
7 **a promotional campaign, or is the promotion part of**
8 **what you described as the ad campaign?**

9 **A.** We might have promotion development within
10 the same process of advertising development, very
11 similar process. We might decide to do just work on
12 promotions, very separate from any advertising idea.

13 **Q. Does Reynolds conduct focus groups for**
14 **promotions?**

15 **A.** Yes. Reynolds conducts focus groups among
16 adult smokers, both franchise and competitive
17 smokers on promotion ideas.

18 **Q. Is the ultimate decision to go with a new**
19 **advertising or promotional campaign made by brands,**
20 **or by somebody higher up in the company?**

21 **A.** The brand will generally weigh all of the
22 options for an advertising campaign and recommend an
23 advertising campaign to management. Management will
24 review the campaign and approve it or not.

25 **Q. When you say management, what position is**

1 talking to, and they may call those smokers and
2 invite them to come to the facility. We may have
3 our direct marketing list of adult smokers for that
4 city available so that they can use that list to
5 invite adult smokers to the focus groups. In some
6 cases they may randomly telephone in order to
7 identify a qualified adult smoker to come to the
8 focus group.

9 **Q. And how do they identify a qualified adult**
10 **smoker through a random telephone call?**

11 **A.** If you answered the phone and identified
12 yourself as Mr. Magee, they would ask you, Mr.
13 Magee, are you a smoker? What is your age? What
14 brand of cigarettes do you smoke? Ask you your
15 birth date. If you fit into the category of a, for
16 example, Marlboro smoker, you're 25 years old, would
17 you like to come to the facility and join us for a
18 focus group this evening?

19 **Q. Other than the ways you just mentioned, can**
20 **you think of any other techniques by which**
21 **participants are selected for focus groups?**

22 **A.** There might be other techniques, those are
23 the ones I'm most familiar with.

24 **Q. Okay. You say that's how participants are**
25 **currently selected for focus groups. That suggests**

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1 that?

2 **A.** My boss, Lynn Beasley, who is executive vice
3 president, Andy Shindler, our C.E.O.

4 **Q. Is it one or the other, or both, that would**
5 **make the ultimate decision?**

6 **A.** Of course it depends on what element of the
7 marketing mix you're talking about. A new
8 advertising campaign would generally be approved all
9 the way up through the head of our company.

10 **Q. Who is?**

11 **A.** Andy Shindler.

12 **MR. WILLIAMS:** You're speaking currently, is
13 that correct?

14 **THE WITNESS:** Correct. That's currently.

15 **BY MR. MAGEE:**

16 **Q. With respect to focus groups we've talked**
17 **about, how are the participants for a focus group**
18 **selected?**

19 **A.** Currently?

20 **Q. Let's start with currently.**

21 **A.** We contract with a facility in a location to
22 recruit adult smokers for focus groups. They have
23 several different means to recruit those smokers;
24 they may have already a list of adult smokers who
25 smoke specific brands that we're interested in

1 to me it was done differently in the past, is that
2 correct?

3 **A.** The only difference would be that prior to
4 1992, we would have spoken with 18-, 19-, and
5 20-year-old smokers. Since 1992, we only invite
6 21-year-old smokers and older.

7 **Q. Once you have a pool of participants**
8 **selected, what happens next?**

9 **A.** Once participants arrive at the facility,
10 they are generally screened with the same
11 questionnaire again to validate the information that
12 they provided over the phone or in past surveys.
13 Then we might select a fewer number than come,
14 generally we like to talk to eight or 10 adult
15 smokers, sometimes 15 adult smokers show up, and we
16 take eight or 10 of those 15.

17 **Q. How do you make the cut?**

18 **A.** If -- it depends on the study. If we want
19 to speak with primarily Marlboro Lights smokers 21
20 years old and older, we might to decide to speak
21 with more Marlboro Lights adult smokers than
22 Marlboro regular adult smokers, and so we would
23 select them, as an example.

24 **Q. Okay. What happens next?**

25 **A.** Generally smokers -- these smokers are

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1 invited to a room, similar to this, and a discussion
2 occurs with a moderator that we have hired to
3 conduct the discussion with certain questions that
4 we have discussed beforehand that we would like to
5 have the moderator --

6 Q. Excuse me.

7 MR. VILAFRANCO: Are we disturbing you?

8 MR. MAGEE: Yes.

9 MR. WILLIAMS: Let's go off the record,
10 then.

11 (Off the record.)

12 BY MR. MAGEE:

13 Q. I sort of lost you there. I think we were
14 at the stage of once you get the participants
15 selected for the focus groups, you were explaining
16 to me what happens next. Why don't you continue,
17 please.

18 A. We hire a moderator who is -- has a list of
19 questions that we would like to ask to the adult
20 smokers who attend the group. It might be
21 advertising that is shown, there may be a promotion
22 idea that's shown, there may be a new packaging idea
23 that's shown, those ideas are shown, questions are
24 asked, we attend those groups and we listen to the
25 responses of the adult smokers who are

1 we're showing in the focus groups. We even might
2 send a note in to the moderator in the middle of the
3 focus group to ask a question because we heard
4 something that we would like to follow-up on. Just
5 a very normal, general conversation is what occurs.

6 Q. We touched upon this a little bit earlier,
7 but if it comes out in a particular focus group that
8 a proposed advertisement is not well received, what
9 happens?

10 MR. WILLIAMS: It's been asked and answered,
11 that precise question.

12 THE WITNESS: We don't do it.

13 BY MR. MAGEE:

14 Q. Okay. Is it -- can the ad be put on hold
15 and maybe resuscitated at a later point? Does brand
16 taylor it and try to revamp it for a future focus
17 group? When you say we don't do it, I'm just
18 wondering if it's anymore complicated than that or
19 if there are any other options.

20 A. I'm not aware of pulling out old ideas and
21 using them for work later on, years later.

22 MR. WILLIAMS: Other than the Complaint in
23 this case.

24 THE WITNESS: Oh, that's true.

25 BY MR. MAGEE:

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1 participating, and the groups are finished.

2 Q. Okay. You say we attend those groups. Who
3 are you referring to?

4 A. A number of people may attend any one of
5 these groups. It could be somebody on the marketing
6 side, it could be somebody on the marketing research
7 side, it may be somebody who's from the agency if
8 we're talking about advertising, it may be someone
9 from another part of the business unit. As I
10 described earlier, some of the people we call our
11 team may attend.

12 Q. Who prepares the questions that are asked at
13 the focus groups?

14 A. The questions are prepared generally with
15 the marketing research person and the moderator.
16 These are questions that they discuss with the brand
17 group before we actually go in and field the
18 questions with adult smokers.

19 Q. So you have the opportunity to change
20 questions if you don't agree with them, or take
21 questions out?

22 A. Yes.

23 Q. Does that happen very frequently?

24 A. It depends. There might be a question that
25 might be more relevant to the kinds of materials

1 Q. Have you worked on focus groups for Camel
2 brand cigarettes?

3 A. Yes.

4 Q. Have you attended specific focus groups for
5 Camel brand cigarettes?

6 A. Yes.

7 Q. Are you aware of any measures that Reynolds
8 has to determine whether a proposed cigarette ad
9 appeals to the people under the age of 18?

10 MR. WILLIAMS: Can I have the question
11 again, please?

12 THE WITNESS: Could you repeat the question?
13 (Question read back.)

14 MR. WILLIAMS: Can you define what you mean
15 by measures?

16 THE WITNESS: Can you define what you mean
17 by measures?

18 BY MR. MAGEE:

19 Q. Procedures.

20 A. As you know, we do not conduct any research
21 among underage youth. When we conduct focus groups
22 among adult smokers, currently 21 years old and
23 older, we will ask those smokers if an advertisement
24 is something they perceive to be for people of their
25 own age, for people who are older than them, or for

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1 people who are younger than them. We ask that
2 question among adult smokers, 21 years old and
3 older.
4 **Q. What happens if the focus group participants**
5 **respond that the ad is for people younger than them?**
6 A. Then we would consider that it would be
7 inappropriate for us to use that advertisement,
8 assuming the majority -- assuming we heard that from
9 those adult smokers in that group, it would be
10 inappropriate for us to use it. We're interested in
11 adult smokers.
12 **Q. But if it's not a majority of the focus**
13 **group participants, you wouldn't do anything about**
14 **it?**
15 MR. WILLIAMS: Misconstrues her testimony.
16 MR. MAGEE: That's what I'm trying to figure
17 out, so correct me if I'm wrong.
18 MR. WILLIAMS: I'm constrained to object if
19 you hold it up like that. If you want an answer,
20 ask her what she said.
21 THE WITNESS: If I heard in a focus group
22 from an adult smoker that an idea or an ad was too
23 young, then it's likely that we would not do the ad.
24 BY MR. MAGEE:
25 **Q. Does Reynolds have any rules or procedures**

1 younger than the participants.
2 THE WITNESS: I'm confused.
3 MR. WILLIAMS: Be careful here because he's
4 got a double negative to that question.
5 THE WITNESS: Would you repeat who is asking
6 the question?
7 BY MR. MAGEE:
8 **Q. Okay. You said the discussion guides may**
9 **have a discussion about asking whether a proposed ad**
10 **appeals to people that are the same age, older, or**
11 **younger, than the participants, is that correct?**
12 A. Discussion guides could include that
13 question. It is a common question for our
14 moderators to ask that question when we show
15 advertising.
16 **Q. Okay. Have you ever participated in a focus**
17 **group where that question was not asked?**
18 A. I have participated in hundreds and hundreds
19 of focus groups over the last 17 years. I could not
20 recall specifically that there would be a group that
21 wasn't asking, but for the most part, the question
22 is always asked.
23 **Q. Other than the discussion guide, is there**
24 **any employee manual or other written material that**
25 **discusses the issue of screening to find out whether**

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1 **that are written down that discuss this?**
2 A. Asking adult smokers if advertisements are
3 the same age, younger, or older?
4 **Q. Yes.**
5 A. In the discussion guide that is written for
6 the focus group, it's likely that there were those
7 questions that appeared on those guides. I don't
8 know where those guides might be.
9 **Q. What are the discussion guides?**
10 A. When I spoke of creating the questions that
11 we would field to adult smokers in a focus group,
12 generally there's an outline of what those questions
13 would be, it's called a discussion guide. Likely,
14 those questions would be a part of that discussion
15 guide.
16 **Q. But you're not certain?**
17 A. Not certain where you would find it. It's a
18 practice that is used. Moderators that we work with
19 ask the question even if it weren't on the guide.
20 **Q. Is it true that they might not ask the**
21 **question?**
22 MR. WILLIAMS: Is it true that focus group
23 people might not ask what question?
24 MR. MAGEE: Well, the question we're talking
25 about, which is whether or not it appeals to people

1 **a proposed advertisement or promotion appeals to**
2 **people under the age of 18?**
3 MR. WILLIAMS: Are you talking in terms of
4 focus groups, or Reynolds's policies with respect to
5 ad content?
6 MR. MAGEE: Right now I'm talking about
7 focus groups.
8 THE WITNESS: Would you repeat, then,
9 specifically the question?
10 BY MR. MAGEE:
11 **Q. Yeah. Other than the discussion guides, is**
12 **there any other source or written material that**
13 **discusses screening a proposed advertisement or**
14 **promotion to find out whether it appeals to people**
15 **under the age of 18?**
16 A. Not that I know of.
17 MR. WILLIAMS: What I think she said before,
18 and I don't think you meant to do this, but before I
19 think she said that it did not appeal to people
20 under the age of 18. You flipped it around, your
21 question.
22 BY MR. MAGEE:
23 **Q. Okay. I'm sorry. If that's what happened,**
24 **I didn't mean to do that.**
25 **Are you familiar with any -- are you**

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1 familiar with any advertisement that was rejected
2 because it appealed to people under the age of 18?

3 A. Yes.

4 Q. What advertisement?

5 A. Back in the days of Joe Camel, when we were
6 developing advertising for the 75th birthday, I was
7 the marketing research person, I was not the brand
8 person at that time, we had a host of different
9 representations of Joe Camel. When we talked to
10 adult smokers, both Camel adult smokers, as well as
11 competitive adult smokers, some of the executions, I
12 remember one in particular, was perceived to be too
13 young. There was an execution where Joe had a punk
14 hair-do, and, as soon as we heard that this was
15 inappropriate for this age group, that it was too
16 young, we eliminated it.

17 Q. Can you think of any other ads that were
18 rejected?

19 A. It's been quite awhile.

20 Q. They don't have to be Joe Camel, they can be
21 other --

22 MR. WILLIAMS: Your question is solely -- I
23 mean, ads are rejected all the time.

24 MR. MAGEE: I'm limiting this to because
25 they appeal to people under the age of 18.

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1 MR. WILLIAMS: Okay. Solely for people
2 under the age of 18? Because advertisements can be
3 rejected for a variety of reasons, including people
4 under the age of 18.

5 And let me just say, you're asking her own
6 personal knowledge of these ads, because, as I'm
7 sure you've seen in the documents, there's a number
8 of different views on the issues having
9 nothing to do with Ms. Creighton.

10 BY MR. MAGEE:

11 Q. I'm asking for your personal knowledge.

12 A. And remember, we have a firm policy that we
13 market our products to adults. We don't want kids
14 to smoke, I don't want kids to smoke. When I screen
15 ads before we go forward to focus groups, we look at
16 ads for the very same reason. We want to make sure
17 that the activity that is portrayed is not directed
18 to an audience that would be younger, our
19 advertising agencies are very aware of that. So I
20 don't recall a lot of other occasions where that's
21 occurred.

22 Q. So are you telling me that the punk Joe
23 Camel is the only ad that you can specifically
24 remember that had been rejected because it appealed
25 to persons under the age of 18?

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1 A. I remember an idea for a promotion for the
2 75th birthday that had party hats and balloons, and
3 was not perceived to be adult, and we eliminated it.

4 Q. Can you think of any others?

5 A. I'm sure there could have been others, those
6 are the ones that I recall.

7 Q. We were talking about ads and promotions
8 that were rejected exclusively because they appealed
9 to persons under the age of 18. Can you think of
10 any other ads or promotions that were rejected for
11 more than one reason, one of which is they appealed
12 to persons under the age of 18, that were rejected?

13 A. I can't think of -- I can't recall any
14 examples where it was a combination of elements
15 including under 18 that we rejected, no.

16 Q. Have you ever seen a marketing research
17 proposal?

18 A. Any marketing research proposal ever?

19 Q. Yes.

20 A. For any time frame since I've been with the
21 company?

22 Q. Yes.

23 A. Yes.

24 Q. What is a marketing research proposal?

25 A. Marketing research proposal is presented by

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1 a marketing research employee with background on the
2 marketing project and a proposal for a type of
3 research methodology to address questions in regard
4 to that project; a proposed cost and a place for
5 signature for approval.

6 Q. How is a marketing research proposal
7 prepared?

8 A. Generally a marketing research person would
9 meet with a person from brand management, my group,
10 discuss the project, the objectives of the project,
11 the information which is being sought in the
12 research, and the marketing research person would
13 write the proposal and send it to the brand
14 management person.

15 Q. Is it always somebody from the marketing
16 research department that prepares the proposal?

17 A. The majority of the time it's marketing
18 research that sends it.

19 Q. Have you ever prepared a marketing research
20 proposal?

21 A. Yes, I have. When I was in marketing
22 research.

23 Q. What happens after a marketing research
24 proposal is prepared?

25 A. The proposal is signed by the marketing

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1 research person proposing the research and sent to a
2 list of people who approve the proposal; generally
3 that would include that person's boss in marketing
4 research, the person for whom the project is being
5 proposed in marketing, and the person who can
6 approve the cost of the research.

7 Q. Are you familiar with established brands
8 proposals?

9 A. Yes.

10 Q. What is an established brands proposal?

11 A. Same thing as a marketing research proposal.

12 Q. Why is it called a established brand
13 proposal, as opposed to marketing research proposal?

14 A. Established brands research was a group
15 within the marketing research. Established brands
16 research should have a proposal for a specific brand
17 and use that title, but it's still a marketing
18 research proposal.

19 Q. So established brands is a subgroup of
20 marketing and research?

21 A. (Witness nods head)

22 Q. Are there any other subgroups of marketing
23 and research that prepare

24 MR. WILLIAMS: I'm sorry. Was there an
25 answer to the last question?

1 Q. Have you ever prepared an established brands
2 proposal?

3 A. I've prepared marketing research proposals,
4 I was in the established brands research group, I
5 don't know if it was that established brands
6 research group, but I know it would have been the
7 same proposal.

8 Q. Okay. Are you familiar with marketing
9 research reports?

10 A. Yes.

11 Q. What is a marketing research report?

12 A. In general what is a marketing research
13 report? It's the findings of a marketing research
14 project.

15 Q. All right. How is a marketing research
16 report prepared?

17 A. Generally the marketing research person
18 responsible for conducting marketing research would
19 write a report to describe the research, the
20 findings in the research, and their conclusions as a
21 result. And they will send it to the people who
22 attended the focus group, if that's the case, or the
23 people working in marketing, advertising, whatever
24 the project.

25 Q. And who receives a marketing research

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1 THE WITNESS: Yes

2 BY MR. MAGEE:

3 Q. Was there any other subgroups of marketing
4 research that prepare proposals, research proposals?

5 A. That I receive?

6 Q. That you are aware of?

7 A. There could be. Proposals are prepared
8 because marketing research is going to spend the
9 money, and they want an agreement on the cost, as
10 well as the design of the research. Someone in
11 sales tracking could propose an analysis that would
12 not be -- that would be outside of the current
13 contract for share of market data. They would write
14 a marketing research proposal to do that analysis,
15 they would send it to me, and I would approve it so
16 that we could pay for it.

17 Q. How many subgroups are there within the
18 marketing research department?

19 MR. WILLIAMS: Do you know, Fran, or are you
20 guessing?

21 THE WITNESS: I don't know.

22 MR. WILLIAMS: Okay. Just say you don't
23 know.

24 THE WITNESS: Quite a few.

25 BY MR. MAGEE:

1 report?

2 A. The same people who receive marketing
3 research proposals.

4 Q. Are you familiar with advertising research
5 reports?

6 A. Yes.

7 Q. What is an advertising research report?

8 A. Same as a marketing research report, just
9 specific to advertising.

10 Q. What's a promotion research report?

11 A. Same as a market research report, just
12 specific to promotion.

13 Q. Thank you. I'm going to introduce some
14 documents now, and -- you guys said you wanted to
15 take a break.

16 MR. WILLIAMS: Why don't we take 10 minutes.
17 (Recess from 3:19 p.m. to 3:34 p.m.)

18 BY MR. MAGEE:

19 Q. Ms. Creighton, just a couple of follow-up
20 questions to what we were talking about before we
21 took the break. When we talked about focus groups
22 and determining whether a proposed advertisement or
23 promotion appealed to somebody younger than the
24 participants in the focus groups, you said if
25 somebody in the focus group thought that the ad or

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1 promotion basically skewed younger, that that would
2 be enough for you to pull the ad or promotion, is
3 that correct?

4 A. In most cases. We don't screen ads that
5 have already been implemented. When we go to a
6 focus group of adult smokers, this would an idea or
7 advertisement that's proposed.

8 Q. Okay. That's what I thought.

9 A. So --

10 Q. If I didn't make that clear, I'm sorry. So
11 a proposed ad or a proposed promotion is what we're
12 talking about?

13 A. Yes. If we heard from adult smokers that
14 they perceived ad to be -- or the promotion idea to
15 be too young, we would not do the idea.

16 Q. Would it require more than one person to
17 express that opinion?

18 A. Yes. It might be one person, it might be
19 more.

20 Q. Okay. Let's say use a hypothetical: When
21 you're screening a proposed advertisement in a focus
22 group and one person out of the 10 participants says
23 that, "I think this ad appeals to people younger
24 than myself," would that be enough to pull the ad?

25 MR. WILLIAMS: I'm going to object. This is

1 Q. In your experience, have you ever
2 encountered a focus group where one person out of
3 the focus group expressed the opinion that the ad
4 appeals to people younger than the focus group
5 participants?

6 A. I don't recall that there would have been
7 that situation.

8 Q. Okay. Along -- when we were talking about
9 focus groups, I was unclear on your response to a
10 question I asked about the types of reviews Reynolds
11 has in place to determine whether an advertisement
12 or promotion appeals to people under the age of 18.
13 And we were talking --

14 MR. WILLIAMS: Could you rephrase your
15 question -- to insure that it does not appeal to
16 underage, I think is the policy here. There is no
17 policy to insure that it appeals to people under the
18 age of 18.

19 BY MR. MAGEE:

20 Q. I apologize. It's kind of a Freudian, I
21 guess. My question is: Does Reynolds have any
22 policies or procedures in place to insure that its
23 advertising or promotions do not appeal to people
24 under the age of 18?

25 A. We have a number of different things that we

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1 a fact deposition, not an expert deposition. She
2 said before that if somebody said it's viewed too
3 young that it was unlikely that the ad would be
4 pursued.

5 Now, if you're trying to establish a rule
6 that if one person says, even if it's unreasonably,
7 that it was skewed too young, that it would not be
8 pursued. You're trying to develop some kind of
9 absolute rule here, and I don't -- I think you
10 should find out from the witness whether there is
11 such a rule.

12 MR. MAGEE: That's what I'm trying to do.
13 I'm just trying to find out if it's one person --

14 MR. WILLIAMS: If you're trying to take a
15 hypothetical from what she would do into some kind
16 of RJR rule, then I'm not sure that there is such a
17 rule.

18 BY MR. MAGEE:

19 Q. Okay. Can you answer the question?

20 A. There isn't such a rule that says what
21 number. Generally, from my experience, it isn't
22 isolated to one person. If the ad, in fact, was
23 perceived in that way, we would hear it from many
24 more than one person. In my experience, it has
25 always been many more than one person.

1 do in regards to insuring that our advertising
2 appeals to adults. We, first of all, as you know,
3 do not do marketing research among under age youth.
4 We ask adult smokers their perceptions of the
5 advertising. We also have a number of reviews that
6 occur within the company to insure that the
7 perception is that we are advertising to adults, and
8 not to underage. That includes the -- a panel of
9 employees called the ad review panel. This panel is
10 made up of employees who are not in marketing who
11 represent a broad cross-section of adults, parents,
12 ethnic groups who review the advertising and
13 promotion and give their opinion as to whether or
14 not the advertising or promotion is appropriate for
15 adults, has any perception on their part, because as
16 marketing we may be too close to it and not see it,
17 perception on their part that the idea or execution
18 would be too young.

19 Q. Okay. In addition to the ad review panel,
20 is there anything else in place at Reynolds to
21 insure that its advertising or promotions do not
22 appeal to people under the age of 18?

23 A. We follow the advertising and promotion
24 code. Do you have a copy of the advertising and
25 promotion code?

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1 Q. Yeah. I think we do.
2 A. Which stipulates how we have developed
3 guidelines to insure that our marketing is to
4 adults.
5 Q. When you say to insure that your marketing
6 is to adults, I'm just trying to find out the other
7 side of that is: How do you insure that it also
8 doesn't appeal to people who aren't adults, people
9 under the age of 18?
10 MR. WILLIAMS: Other than what she's
11 testified to already?
12 MR. MAGEE: Yeah.
13 THE WITNESS: Other than the focus group
14 questions, the ad review panel, the review with our
15 external relations department, who has opinions, in
16 review with our legal department, who has opinions.
17 It's a highly scrutinized marketing
18 department.
19 BY MR. MAGEE:
20 Q. Anything else?
21 A. The -- as far as appeal is concerned, or as
22 far as implementation? The advertising and
23 promotion code is more about the implementation of
24 our marketing. There may be other things that we do
25 that I have forgotten about today, but for appeal,

1 those. Informally we got that feedback, but not
2 formally.
3 Q. How do you get this informal feedback from
4 the employees?
5 A. An example?
6 Q. Sure.
7 A. We -- when the 75th birthday promotion was
8 created for Joe Camel, the promotion was taken to
9 the factory, and we did groups of employees on the
10 first, second, and third shift, employees of all age
11 groups, to hear their response and their perceptions
12 of what the advertising and promotion ideas looked
13 like. Even recently, when I just finished doing
14 some new ads, I am planning to take them to
15 manufacturing for the very same kind of response.
16 It's happened many times over the last 10 years that
17 I recall.
18 Q. When we were talking about the marketing
19 research proposals and you said that once that's
20 created, it goes over to brand marketing and they
21 have to approve the expenditure, is that correct?
22 A. That's correct.
23 Q. Is there a subpart of brand marketing that
24 approves it, or is there another department that
25 actually approves the funds being spent for a

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1 that's pretty much it.
2 Q. So the advertising and promotion code deals
3 with appeal --
4 MR. WILLIAMS: No.
5 BY MR. MAGEE:
6 Q. I'm sorry. Implementation?
7 A. Implementation.
8 Q. And the other things you've mentioned, the
9 focus groups, discussion guides, the ad review
10 panel, review with external relations, and review
11 with the legal department are all related to appeal?
12 A. Perceptions of the content of the
13 advertising and whether it fits our adult market.
14 Q. Can you think of any others?
15 A. There may be others that I'm not aware of,
16 or that I've forgotten today. Those are the main
17 ones.
18 Q. Okay. With respect to the ad review panel,
19 how long has that been in existence?
20 A. Since 1990, I believe.
21 Q. Was there anything like that prior to 1990?
22 A. There was nothing organized, like the ad
23 review panel. We review our advertising and
24 promotion ideas with a large number of employees for
25 many different reasons, and receive feedback on

1 particular research?
2 MR. WILLIAMS: I thought it was a the
3 approval of an ad campaign. Wasn't that your
4 question?
5 MR. MAGEE: No.
6 THE WITNESS: Marketing research proposal?
7 MR. MAGEE: Yeah.
8 MR. WILLIAMS: What is the question?
9 THE WITNESS: Can you repeat the question?
10 I've gotten lost in the meantime.
11 MR. WILLIAMS: Who is it -- who approves the
12 advertising campaign?
13 BY MR. MAGEE:
14 Q. No. No. We're talking about -- okay. We
15 were talking about marketing research proposals.
16 A. Uh-huh.
17 Q. You said at some point a marketing research
18 proposal gets approved by people in the -- now,
19 you've got me confused, as well. Let's just go over
20 it again: Who approves a marketing research
21 proposal?
22 A. The marketing research proposal is signed by
23 the person who proposes it, often their boss reviews
24 it, then it's sent to marketing. The person in the
25 group that is responsible for the project, for

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1 example; a person who works on promotion in my group
2 might sign that proposal, but generally I would sign
3 it to approve the cost, because the marketing
4 research dollars are in my marketing budget.
5 Q. Okay. Thank you.
6 (Exhibit Number 5 marked for identification.)
7 BY MR. MAGEE:
8 Q. I'm handing you a document that's been
9 marked Creighton Exhibit Number 5. It's Bates
10 stamped 006614 through 006615.
11 Have you ever seen Exhibit Number 5 before?
12 A. It would appear I authored this marketing
13 research proposal.
14 Q. Did you author -- did you author Exhibit
15 Number 5?
16 A. Yes, I did.
17 Q. What is Exhibit Number 5?
18 MR. WILLIAMS: It's a marketing research
19 proposal. It says it at the top.
20 THE WITNESS: It's a marketing research
21 proposal for Camel focus groups in Tulsa.
22 BY MR. MAGEE:
23 Q. I would like to direct your attention to the
24 top of the first page, just below the line Marketing
25 Research Proposal. In parenthesis it reads, "(MDD

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1 "#87-13202)." Could you tell me what that means?
2 A. It's almost like an accounting method.
3 Every project is assigned a number, and, generally,
4 the first two digits relate to the year in which the
5 project is proposed, and the other five digits are
6 assigned to the project.
7 Q. What does MDD stand for?
8 A. Marketing development department.
9 Q. So Exhibit Number 5 is related to a project
10 that was conducted in 1987, and the project number
11 is: 13202, is that correct?
12 MR. WILLIAMS: That's been asked and
13 answered. You don't have to rephrase everything.
14 She's given you two answers, you don't need to
15 ask a third. Let's move it along.
16 BY MR. MAGEE:
17 Q. Is that correct, Ms. Creighton?
18 A. Yes.
19 Q. Still on the first page, the first line
20 reads, "To qualitatively assess the communication
21 appeal of new Camel creative among target male
22 smokers aged 18 to 34 years old." What does new
23 Camel creative mean?
24 A. Advertising that's been created for Camel
25 that has not been in the market.

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1 Q. Down below that line where it says
2 background, the second sentence reads "In keeping
3 with Camel's heritage, the new campaigns are
4 intended to make a statement about the brand's image
5 of self-confidence and individuality in a format
6 that is innovative, provocative, and relevant to the
7 male target smokers." Who are the male target
8 smokers?
9 A. They're described above; 18- to 34-year-old
10 male smokers.
11 Q. And what is meant by the brand's image of
12 self-confidence and individuality in a format that
13 is innovative, provocative, and relevant?
14 A. Camel has a heritage of being a brand that
15 is smoked by adults who are self-confident, feel
16 like individuals. It's a small brand, so it's a
17 brand that makes a statement about that adult
18 smoker. So those two words are associated with
19 Camel. Innovative, provocative, and relevant are
20 words that speak to the kind of advertising that we
21 like to do among adult smokers, something
22 eye-catching, attention-getting, impactful.
23 Q. Further down the page, under Methodology
24 there's a reference to Camel -- I'm sorry. Average
25 Camel BDI.

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1 A. Uh-huh.
2 Q. Can you tell me what BDI stands for?
3 A. Brand development index.
4 Q. What is brand development index?
5 A. If I use an example, I think it would be
6 easier: If Camel has a share of market that's five
7 share points in the whole total U.S., we're able to
8 measure the share of market in our region, like
9 Tulsa, Oklahoma. If it's average Camel BDI, the
10 share would be five share points, that's what we are
11 nationally. If it's below or above, it would be
12 lower or higher than our national share.
13 Q. Still in the Methodology section, there's a
14 reference to high school education through some
15 college or technical school, but not currently
16 attending college. What is that a reference to?
17 A. These are adult smokers, 18 to 24, or 25 to
18 34, they're education background is asked in the
19 screener.
20 MR. WILLIAMS: Can I help clarify?
21 THE WITNESS: Yes.
22 MR. WILLIAMS: Doesn't that refer to the
23 people you want to come to the focus group?
24 THE WITNESS: Yes. That refers to them,
25 exactly.

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1 MR. WILLIAMS: Okay.
2 THE WITNESS: It's the people who want to
3 come to the focus group.
4 MR. WILLIAMS: The record may not have been
5 clear on that.
6 THE WITNESS: High school education through
7 some college or technical school, but not currently
8 attending college is what describes the people that
9 we are inviting to the groups.
10 BY MR. MAGEE:
11 Q. Why would you not want people who are
12 attending college involved in the groups?
13 A. I don't recall.
14 Q. Okay. I'm sorry, I'm still on the first
15 page.
16 A. Okay.
17 Q. Down at the bottom you've got Group
18 Composition, and then there's some age groups. It
19 looks like -- are these the ages of the participants
20 in those focus groups?
21 A. Group Composition, here at the bottom
22 right-hand corner?
23 Q. Yeah.
24 A. 18 to 24 year old males. Correct. And they
25 would all be smokers.

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1 Q. On the second page, about half way down,
2 under Concurrence.
3 A. Yes.
4 Q. It says Marketing Development and Brand
5 Marketing, there's some names and some signatures
6 under there. What does that mean?
7 A. As I've described earlier, on marketing
8 research proposals, generally the marketing research
9 person proposes the research, your boss signs, Ellen
10 Cox was the head of the whole established brands
11 research groups, somebody in marketing you're doing
12 the project with signs, L.J. Brenniger is the
13 maiden name for Lynn Beasley, she was the brand
14 manager at the time, Rick Sanders was likely her
15 boss.
16 Q. And at this point in time, you were part of
17 the marketing development department?
18 A. That's correct.
19 Q. Did the Tulsa focus groups actually take
20 place?
21 A. I don't know. I believe so.
22 (Exhibit Number 6 marked for identification.)
23 BY MR. MAGEE:
24 Q. I'm handing you a document that's been
25 marked Creighton Exhibit Number 6. It purports to

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1 be an advertising research report, dated August 14,
2 1987, and it's identified at the bottom with CX966.
3 Are you familiar with Exhibit Number 6?
4 A. Well, it's been over 10 years, but it's my
5 -- it was written by me. It was from me. I assume
6 that I am familiar.
7 Q. Okay. At the top on the first page of
8 Exhibit 6, there's a reference to MDD 87-13202.
9 A. Yes.
10 Q. Is that the -- let me rephrase that: Based
11 on that number, is this report related to the report
12 we just discussed that was marked as Exhibit 5?
13 A. Yes.
14 Q. They both deal with the same project and the
15 same year?
16 A. Yes.
17 Q. I realize the document says it's from F.V.
18 Creighton, but let me just ask you: Did you write
19 Exhibit Number 6?
20 MR. WILLIAMS: She just said she did.
21 THE WITNESS: Yes.
22 BY MR. MAGEE:
23 Q. What was your job title at the time you
24 wrote Exhibit Number six?
25 A. Marketing research manager.

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1 Q. Is this typical of the type of work you
2 performed as a marketing research manager?
3 MR. WILLIAMS: Object. It's vague. The
4 question: Did she do this in the course of her
5 responsibilities, or did she do others like this?
6 BY MR. MAGEE:
7 Q. Did you understand the question?
8 A. Is this typical? Why don't you rephrase the
9 question for me.
10 Q. Is this typical of the type of work you
11 performed as a marketing research manager?
12 A. This, along with many other types of
13 research, yes.
14 Q. Who requested that you prepare Exhibit
15 Number 6?
16 MR. WILLIAMS: Did anyone request? Why
17 don't you establish that first?
18 THE WITNESS: It was part of our procedure
19 that after we would conduct focus groups, we would
20 write a report. So there was no specific request
21 that I know of by any of these individuals, it was
22 just the process of the job.
23 BY MR. MAGEE:
24 Q. Turning to the second page of Exhibit 6,
25 under the Purpose, it states -- it refers to new

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1 Camel general market creative. What does that mean?
2 A. In this background section?
3 Q. Under Purpose, the first section.
4 A. It would be the same as we discussed in the
5 proposal; new ideas for Camel advertising that were
6 not in the market.
7 Q. What does general market mean?
8 A. It's a term we used to talk about the
9 all-encompassing 18- to 24-year-old adult market,
10 25- to 34-year-old adult market. It would be a
11 broad description of adult smokers, that's the
12 general market.
13 Q. Did you attend the focus groups referenced
14 on this report?
15 A. Yes.
16 Q. I'm sorry. You did?
17 A. Yes.
18 Q. I would like to have you look at the bottom
19 of the second page, it's actually the last sentence
20 on the page. It states, "Importantly, these smokers
21 stated a desire to be their own person, but remained
22 susceptible to their peer group." Can you tell me
23 what that means?
24 A. The way I understand it, it meets the
25 objective of self-confidence and individuality that

1 question relates to, that's why it's taking me
2 awhile.
3 BY MR. MAGEE:
4 Q. That's fine.
5 A. Can you be more specific about what is
6 confusing about that sentence to you?
7 Q. It says that those campaign series which
8 feature the Camel brand rather than people. What
9 does that mean?
10 A. In reviewing the campaigns that were shown,
11 I see that there campaigns that -- there are
12 advertisements with people, and there are
13 advertisements with a Camel. I believe that those
14 campaign series, which feature the Camel brand,
15 relate to those ads that had the Camel in them.
16 Q. Further on in the sentence there's a
17 reference to Camel's advertising objectives. What
18 were Camel's advertising objectives?
19 A. Going back to --
20 MR. WILLIAMS: Wait a minute. Wait a
21 minute. We've just blown through the part first
22 part. You've just asked questions about the first
23 part that says what the advertising objectives were.
24 We're now on the second page of this. Do you want
25 her to re-read --

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1 we set in the background, and that's what this
2 statement relates to.
3 Q. Okay. On the next page of Exhibit Number 6,
4 the first paragraph states, "Overall, those campaign
5 series which feature the Camel brand rather than
6 people as the central character of a story line,
7 more successfully met Camel's advertising
8 objectives." What does that mean?
9 MR. WILLIAMS: Are you asking her what
10 Camel's advertising objectives were?
11 MR. MAGEE: I'm asking her what the first
12 sentence of the third page --
13 MR. WILLIAMS: No. I understand that.
14 Other than what it says?
15 MR. MAGEE: I don't understand it.
16 MR. WILLIAMS: Well, then ask her what you
17 don't understand about it, because we're not going
18 to go through a document that seems self-explanatory
19 and say what does it mean. If you have a specific
20 question, ask her the specific question. We're not
21 going to play this game where you just read a
22 sentence out of something and say what does it mean.
23 Do you have a specific question?
24 MR. MAGEE: The question is pending.
25 THE WITNESS: I am confused about what your

1 MR. MAGEE: You can certainly answer the
2 question by --
3 MR. WILLIAMS: I know. But you can answer
4 this question by reference to what it says in the
5 document. If you're confused about something, fine.
6 But read the whole document. The objectives are
7 listed on Page 2 of exhibit 6.
8 BY MR. MAGEE:
9 Q. If you can respond to the question.
10 A. I can repeat the answer I gave before; the
11 new advertising is intended to make a positive
12 statement about the brand's image of authenticity,
13 self-confidence, and individuality in a format
14 that's relevant to our target.
15 Q. Thank you. On the next paragraph there's a
16 reference to -- I'm sorry. It's on, actually, the
17 third paragraph of the third page. There's a
18 reference to the French camel. What is the French
19 camel?
20 A. The third paragraph on Page 3?
21 Q. It should be the third page of Exhibit 6.
22 A. The French camel is a reference to the
23 poster that has been -- that was originally drawn to
24 smokers, and it was used in France, and we called it
25 the French camel, the Camel in the poster.

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1 Q. When was this poster shown to smokers in
2 France?

3 A. I don't know anything about --

4 MR. WILLIAMS: Hold on. There's no secular
5 to that question. When was -- when was the French
6 Camel poster shown in France?

7 MR. MAGEE: Yeah. She just said that -- I
8 asked her if the French camel was in reference to a
9 poster originally shown to smokers in France.

10 THE WITNESS: I wasn't clear. It came from
11 advertising for Camel in France. That poster is
12 something that we used in focus groups with adult
13 smokers here in the United States.

14 BY MR. MAGEE:

15 Q. Okay.

16 A. When we refer to French camel in this
17 document, it refers to the camel in the poster that
18 we used here in America in focus groups.

19 Q. Okay. Is the reference to the French camel
20 in this document, Exhibit Number 6 referring to the
21 poster of the French camel, or is it used in some
22 other way?

23 A. I think it's referring to the image of the
24 camel illustrated in these campaigns, which was
25 similar to that of the French camel poster that we

1 camel." But this is not the same poster that was
2 the original.

3 Q. Okay. Which page are you looking at right
4 now?

5 A. I'm looking at all the pages where there is
6 a camel that's illustrated in the advertisement.

7 Q. Okay. Let's -- if you would, turn with me
8 to -- I believe it's the fourth page of Exhibit 6.
9 It's marked at the bottom RM041831.

10 A. Yes.

11 Q. And there appears to be a copy of a proposed
12 ad at the bottom, is that correct?

13 A. Yes.

14 Q. Has a camel on the beach, and the camel is
15 smoking a cigarette, is that correct?

16 A. Yes.

17 Q. Is the camel on this page the French camel?

18 A. I believe that the reference in the copy
19 refers to the French camel. This is not the French
20 camel that was in the original poster.

21 Q. Is the camel that's on Page RM041831 based
22 on the French camel poster?

23 A. I believe so.

24 Q. What about this camel leads you to believe
25 that it was based on the French poster?

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1 originally used.

2 Q. Okay. And you were looking at a particular
3 page in Exhibit 6. Maybe if you could tell me what
4 page that is so I can turn to it and we can identify
5 it for the record.

6 MR. WILLIAMS: She was flipping through the
7 other pages.

8 THE WITNESS: I was flipping through all the
9 pages, and I see a camel on many different pages
10 that resembles the camel that we call the French
11 camel, because it came from the original poster of
12 the French camel.

13 Q. Okay. Maybe -- could we -- could you do
14 this for me; identify the pages where you see the
15 French camel in this document.

16 MR. WILLIAMS: I don't think the French
17 camel is in this document, is it?

18 THE WITNESS: The French camel poster is not
19 in this document.

20 BY MR. MAGEE:

21 Q. Okay.

22 A. Based on us having used that French camel
23 poster with adult smokers in previous groups, I
24 believe it was previous, we may have referred to
25 this illustration as, quote, unquote, "the French

1 A. The term French camel used in the text.

2 Q. Is there anything about the art of the
3 proposed ad that makes you think that this camel was
4 based on the French camel?

5 A. The idea of a smoking camel came from the
6 French camel poster, and this is a smoking camel
7 illustrated, that's why I would believe that it was
8 based on the French camel.

9 Q. Was the French camel also illustrated?

10 A. It was an illustration, yes.

11 Q. Whose idea was it to use a camel based on
12 the French camel in these focus groups?

13 A. I don't know.

14 Q. Was it your idea?

15 A. No.

16 Q. Do you know if there were any other focus
17 groups conducted using the French camel, or
18 variation of the French camel?

19 A. Yes. In focus groups in 1987, I don't
20 recall exactly the month, the French camel poster
21 was shown to adult competitive smokers, 18 to 24 and
22 25 to 34, adult Camel smokers 18 years old and
23 older. And it was in a series of promotions that
24 were being shown for Camel. It was not actually in
25 the promotions, but the moderator showed the poster

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1 itself in the discussion of those promotions.
2 Q. Were you involved in those focus groups?
3 A. Yes.
4 Q. Whose idea was it to show the poster of the
5 French camel?
6 A. The moderator, along with myself, and the
7 brand manager agreed to show the camel poster, the
8 French camel poster.
9 Q. Who was the moderator?
10 A. Susan Nassar, N-A-S-S-A-R.
11 Q. Who was the third person, in addition to
12 yourself?
13 A. The brand manager Lynn Brenniger, then, now
14 Lynn Beasley.
15 Q. You said you were showing the focus group
16 participants promotions?
17 A. Promotion ideas for Camel.
18 Q. So why would you then show them a poster of
19 the French camel?
20 A. There were several ideas that were humorous
21 ideas for these promotions. One idea, or more, had
22 a representation of the camel that's on the pack of
23 Camel cigarettes. The one I recall most was an ad
24 that had a picture of the camel close up from the
25 pack, and it said, "Not just another pretty face."

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1 Smokers, adult smokers, that were Camel smokers, as
2 well as other adult smokers 18 to 24 and 25 to 34,
3 and 35 plus loved the humor of the ad, but pointed
4 out to us that they could not recognize that it was
5 a camel's face because of the close up. So we
6 showed the French poster as an alternative to that
7 face.
8 In all of the groups that we had in that
9 one series of Camel franchise adult smokers, as well
10 as all ages of adult smokers of competitive brands,
11 the response was very enthusiastically positive.
12 That's what happened.
13 Q. Where did you get the French camel poster?
14 A. I believe Ms. Nassar had a copy of it.
15 Q. Do you know where she got it?
16 MR. WILLIAMS: It was publicly available.
17 THE WITNESS: It was in magazines at the
18 time in print, running in print, running in France
19 at that time. Well, it might not have been at the
20 time, it could have been that she pulled it from a
21 magazine in France when it ran earlier.
22 BY MR. MAGEE:
23 Q. So you're not certain exactly how it was
24 that she had the camel poster?
25 A. No, sir.

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1 Q. Was this the first time that the French
2 camel was shown in the U.S.?
3 A. I don't think so. The French camel poster
4 was used on some promotions only. It was not used
5 in advertising that I'm aware of.
6 Q. Do you know what types of promotions?
7 A. There was a retail promotion with a T-shirt
8 with the French camel poster image on it that was
9 implemented in, I believe, 1986, could have been
10 1985, I'm not sure.
11 Q. Any other promotions?
12 A. I don't recall. There may have been.
13 Q. That's the only one you recall, the T-shirt?
14 A. That's the only one I recall.
15 Q. Just so I'm clear, the promotion was for a
16 T-shirt with the French camel poster image on it, it
17 wasn't giving out the poster itself, is that
18 correct?
19 A. That's correct.
20 Q. Do you know when in 1987 the French camel
21 poster was shown to the focus groups?
22 A. The exact dates of those groups?
23 Q. You can approximate.
24 A. I can't recall.
25 Q. But it was prior to August 14, 1987?

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1 A. It could have been actually prior to or
2 after, I don't recall.
3 Q. Okay. I'm looking at the -- still on the
4 fourth page, where you've identified the ad with the
5 camel that looks like the French camel poster camel.
6 There's a sentence in the first paragraph, it says,
7 "The French camel seemed to accomplish a truly
8 unique and positive statement of individuality, but
9 remained well within the boundaries of peer group
10 acceptance. Can you explain that sentence to me?
11 MR. WILLIAMS: Tell her what you don't
12 understand about that statement. It seems pretty
13 self-explanatory to us over here.
14 MR. MAGEE: Okay.
15 MR. WILLIAMS: If you have a specific
16 question that you're unclear on, ask her the
17 specific question.
18 MR. MAGEE: Okay. It doesn't seem
19 self-explanatory to me over here.
20 MR. WILLIAMS: Well, then ask her what you
21 don't -- no. Ask her what you don't understand
22 about it, then she'll answer that.
23 BY MR. MAGEE:
24 Q. Okay. I don't understand what that sentence
25 means.

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1 MR. WILLIAMS: Move on. Don't answer the
2 question. If you have a specific uncertainty, we'll
3 answer the question. You're not just reading her
4 things out of the document and saying what does it
5 mean. Ask her a specific question.

6 BY MR. MAGEE:

7 Q. Did you write this document?

8 A. Yes.

9 Q. So presumably you know what the sentences
10 mean?

11 MR. WILLIAMS: The sentences -- that is not
12 my objection. My objection is -- we're not going to
13 go through this exercise of you reading her
14 sentences and you say explain it to me. If you are
15 unclear, we will clarify it for you.

16 MR. MAGEE: That's what I'm asking you to
17 do.

18 MR. WILLIAMS: Then tell us what --

19 MR. MAGEE: I'm not isolating every sentence
20 throughout this document. I've picked a few that I
21 don't understand.

22 MR. WILLIAMS: Well, then tell us what you
23 don't understand about it.

24 MR. MAGEE: I don't understand what it
25 means.

1 Q. Thank you. That makes much more sense to
2 me. Could you turn to the next page of Exhibit 6,
3 please.

4 A. Uh-huh.

5 Q. In the middle of the page there's a -- what
6 appears to be a proposed advertisement of a camel
7 smoking a cigarette, it looks like he's in a car.
8 And the copy on that says, "Camel, never ordinary."
9 Is that also based on -- let me strike that. Is the
10 camel that's in that proposed ad also based on the
11 French camel poster?

12 A. Let me clarify: If I compare this to the
13 French camel poster, the head, the representation of
14 the illustration of the smoking camel's head, would,
15 in my opinion, resemble the French camel poster.
16 There was no rest of the camel in that poster. From
17 that perspective, they're similar.

18 Q. Going back to Page 3 of Exhibit 6, there's a
19 line on the second paragraph, it says, "The brand
20 personality campaign" --

21 MR. WILLIAMS: Could you direct her to the
22 paragraph?

23 BY MR. MAGEE:

24 Q. Yeah. It's the third page, and it's the
25 second paragraph.

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1 MR. WILLIAMS: It's self-explanatory.

2 BY MR. MAGEE:

3 Q. What is a truly unique and positive
4 statement of individuality?

5 MR. WILLIAMS: Can you do a better job than
6 what is reflected there?

7 THE WITNESS: The advertising objective was
8 to have a unique and positive statement of
9 individuality. That's what this achieved, that's
10 what I wrote.

11 BY MR. MAGEE:

12 Q. There seems to me to be some internal
13 conflict between a positive statement of
14 individuality and remaining within the boundaries of
15 peer group acceptance. Maybe you can explain that
16 seeming contradiction to me.

17 MR. WILLIAMS: I object. It's not a
18 contradiction.

19 BY MR. MAGEE:

20 Q. I'm explaining how I interpreted it, and
21 asking you to explain it to me.

22 A. What it means to me is that you can make a
23 statement of individuality, but you haven't gone so
24 far as to be unacceptable to the rest of your
25 friends.

1 A. This page?

2 Q. It's that page that's marked RM041830.

3 A. Okay.

4 Q. I just want to ask you a question about that
5 first sentence in the second paragraph. It seems to
6 me to be referring to the never ordinary campaign,
7 and saying that that is one of the strongest ads
8 that was tested among focus groups, is that correct?

9 A. It would appear that among the advertising
10 ideas shown in this group, the statement was that it
11 was strongest and usually most positive among male
12 target smokers.

13 Q. And the reference to the "Camel, never
14 ordinary," is that a reference to the ad on Page
15 RM041832, should be the 5th page of the document,
16 that has the Camel smoking the cigarette in the car?

17 A. "Camel, never ordinary" appears on more than
18 just that page, it would be all the ideas under that
19 line.

20 Q. Okay.

21 MR. WILLIAMS: So the beach camel, the car
22 camel, and the -- what's this camel?

23 THE WITNESS: It looks like the pack camel
24 was included. The pack camel's in the car.

25 BY MR. MAGEE:

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1 Q. What happened to the "Camel, never ordinary"
2 proposed campaign?
3 A. It never ran.
4 Q. Do you know why?
5 A. I don't recall.
6 Q. Do you know what happened to any of the
7 other proposed campaigns referenced in Exhibit 6.
8 MR. WILLIAMS: Which ones are we talking
9 about here?
10 MR. MAGEE: All of them beyond "Camel, never
11 ordinary."
12 MR. WILLIAMS: Let's be clear. What are the
13 other ones?
14 THE WITNESS: "A different set of rules."
15 MR. WILLIAMS: "Never a drag," "Character,
16 you can't fake it."
17 THE WITNESS: "Behind it all, character."
18 MR. MAGEE: "It's Camel or we're out of
19 here."
20 MR. WILLIAMS: "Camel, now you're talking."
21 "Camels aren't sheep."
22 THE WITNESS: "Camels aren't sheep."
23 "Camel, now you're talking. Turn a few heads."
24 "Camel, never a drag." "Bring me a camel."
25 None of those campaigns, as far as I know,

1 A. It's just a common term in our company for a
2 camel.
3 Q. Okay.
4 (Exhibit Number 7 marked for identification.)
5 BY MR. MAGEE:
6 Q. I'm handing you a document that's been
7 marked Creighton Exhibit Number 7. It's a marketing
8 and research proposal, and it's Bates stamped at the
9 bottom 004412, and on the second page 004413.
10 A. (Witness reviews document.)
11 Q. Just a couple of quick questions on this
12 one, Ms. Creighton.
13 A. Uh-huh.
14 Q. Did you prepare the document that's marked
15 Exhibit 7?
16 A. Yes.
17 Q. Exhibit Number 7 is a marketing research
18 proposal, and the MMD number is 87-13203.
19 A. Yes.
20 Q. What, if any, relation does projects
21 87-13203 have to project 87-13202?
22 MR. WILLIAMS: It's actually --
23 THE WITNESS: Totally different project.
24 MR. WILLIAMS: -- a proposal.
25 THE WITNESS: Different proposal from a

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1 were implemented
2 BY MR. MAGEE:
3 Q. And just for the record, you said none of
4 these campaigns, the campaigns you've just read
5 aloud --
6 A. That's correct.
7 Q. -- out of this document, which is Exhibit 6?
8 A. Thank you.
9 Q. A couple more questions. On the last page
10 of Exhibit 6 there's a reference to two proposed ads
11 with the copy, "Bring out the beast." At the very
12 bottom of the page, the "Bring out the beast"
13 proposed ad appears to resemble the camel smoking
14 the cigarette in the car that was used in the never
15 ordinary proposed ad.
16 A. I'm lost. I'm sorry.
17 MR. WILLIAMS: He's saying that this guy
18 looks like the one on Page 4.
19 THE WITNESS: It appears that it's the same
20 ad with a different headline.
21 BY MR. MAGEE:
22 Q. Okay.
23 A. We often refer to the camel on the pack as
24 the beast.
25 Q. Okay.

1 different set of focus groups.
2 BY MR. MAGEE:
3 Q. The reason I was using projects, I thought
4 earlier that you explained to me that the MDD
5 #87-13202 meant marketing development department,
6 and the 87 was the year, and the 13202 was the
7 project number?
8 A. For those particular focus groups, the
9 assigned number for that research.
10 Q. Okay. Okay. As I said, this is marked
11 13203, one beyond 13202. Is there any connection
12 between the two?
13 A. It's probably the next set of focus groups
14 that I conducted after the ones in Tulsa in July.
15 Q. Okay. So it has no specific relation to
16 87-13202, it's just the next one in line?
17 A. Next one in line. It's accounting.
18 Q. Great.
19 (Exhibit Number 8 was marked for identification.)
20 BY MR. MAGEE:
21 Q. I hand you Exhibit Number -- Creighton
22 Exhibit Number 8. It's a promotion research report,
23 and it's marked CX968 at the bottom.
24 Are you familiar with Exhibit Number 8?
25 A. I don't recall this specific document.

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1 Q. Let me draw your attention to the first page
2 of Exhibit 8. It purports to be from S.L. Snider to
3 F.V. Creighton. Is that you?

4 A. That's me.

5 Q. Is there any reason to think that in light
6 of the two line being F.V. Creighton, you did not
7 receive this document?

8 A. I would assume that I did receive the
9 document.

10 Q. Okay. If you would, please, take a look at
11 Page 010350, it's the second page from the end.

12 MR. WILLIAMS: This has a whole bunch of
13 numbers on it. Which number are you referring to?

14 MR. MAGEE: Let's try 50923 --

15 MR. WILLIAMS: Which Bates number? The one
16 here (indicating), the one on the bottom, or the one
17 on the lower right?

18 MR. MAGEE: The one that says -- the
19 nine digit Reynolds number that is --

20 MR. WILLIAMS: Starts with 37?

21 MR. MAGEE: No. It starts with 50.

22 MR. WILLIAMS: All right.

23 MR. MAGEE: It's the second page from the
24 end.

25 MR. WILLIAMS: There we go. That's easier.

1 know what a CAM poster promotion is.

2 THE WITNESS: I don't know what CAM poster
3 is. I don't know what those specifically look like.

4 But we did not run a promotion called
5 CAMBO.

6 BY MR. MAGEE:

7 Q. When you say we, of course, you're referring
8 to --

9 A. Camel, the brand.

10 Q. -- the Camel brand?

11 A. Reynolds.

12 (Exhibit Number 9 marked for identification.)

13 BY MR. MAGEE:

14 Q. I'm handing you a document that's been
15 marked Creighton Exhibit Number 9. It's a marketing
16 and research report dated February 1, 1985. It's
17 marked CX79 at the bottom.

18 Are you familiar with this document,
19 Exhibit Number 9?

20 A. I have never seen this document. I am not
21 the author, recipient, or on the copies for the
22 document. This was before I was working on Camel.

23 Q. I understand that you haven't seen this
24 particular document, what I want to ask you about is
25 the MDD number that appears on the first page of

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1 THE WITNESS: 0975?

2 MR. MAGEE: Yes.

3 MR. WILLIAMS: Yes.

4 BY MR. MAGEE:

5 Q. And at the top of the page it says
6 Attachment Free. There's a reference on this page
7 to the CAM posters, it's about half way down the
8 page. Are you familiar with the CAM posters?

9 A. I don't recall specifically these posters.

10 It was a promotion idea, evidently, that was tested
11 among adult smokers. This is an example of what I
12 was telling you before, when something is eliminated
13 because it is perceived by these smokers to be too
14 young. This is a good example here.

15 Q. And in this case it appears that the
16 participants of the focus group viewed the promotion
17 and thought it was more suitable for teenagers?

18 A. That's what it says here.

19 Q. Do you have any idea what happened to this
20 proposed promotion?

21 A. We never ran a CAMBO promotion. I assume it
22 was eliminated for that very reason.

23 Q. Did you ever run a CAM posters promotion?

24 A. Not that I know of.

25 MR. WILLIAMS: I think she said she didn't

1 Exhibit 9, just below Camel Younger Adult Smoker
2 Focus Group.

3 A. Uh-huh.

4 Q. The number is MDD #85-13202. Can you tell
5 me what that means?

6 A. Again, I wasn't on this project at the time.
7 I interpret that to be a project in the year 1985,
8 in contrast to the other projects that we looked at,
9 which were 1987. The project number assigned to
10 these focus groups at the time was 13202.

11 Q. Okay. We've talked about a couple of other
12 documents that reference MDD #87-13202. I realize
13 there's a difference between '85 and '87, being one
14 that was done in 1985, and one that was done in
15 1987. The number 13202 --

16 A. Is coincidence.

17 Q. It's coincidence?

18 A. That would be my judgment.

19 Q. So it's your opinion -- your answer. I'm
20 sorry. Is that the two numbers are coincidental,
21 there's no relation between the work done on
22 #87-13202 and the work done under #85-13 --

23 MR. WILLIAMS: No. I think she said she
24 didn't know, she thought it was coincidental.

25 THE WITNESS: I don't know in particular.

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1 There could be some coding that has to do with Camel
2 or something. I believe it's coincidental that the
3 two numbers are the same. The projects are not
4 connected year to year.

5 BY MR. MAGEE:

6 Q. And you stated this morning that you are not
7 familiar with the person named Alyssa Nance
8 Mitchell, is that correct?

9 A. I don't remember.

10 Q. And how about R.T. Caufield?

11 A. As I stated this morning, Rick Caufield was
12 the senior brand manager on Camel.

13 Q. Was he the senior brand manager on Camel
14 when you worked on the Camel brand?

15 A. Yes. Late 1985, early 1986 is when I began
16 working with Rick.

17 Q. Was Rick Caufield the senior brand manager
18 of Camel in 1987?

19 A. For part of that year. And then Lynn
20 Beasley came in and became senior brand manager, and
21 Rick went to R. J. Reynolds Tobacco International.

22 Q. If you would, please turn to the page that's
23 marked at the very bottom, RE-10005740.

24 MR. WILLIAMS: That's the one with the punk.
25 Punk is that where you want her to be?

1 Q. Yeah. The one you looked at with the
2 sunglasses. Does that resemble the camel that's on
3 the French camel poster?

4 MR. WILLIAMS: What do you mean by resemble?
5 They're all illustrated ugly heads.

6 MR. MAGEE: They are that.

7 THE WITNESS: No.

8 MR. WILLIAMS: I just don't want to get into
9 does it resemble. Some people might say yes, some
10 people might say no. They're illustrated pictures
11 of the camel smoking a cigarette in all cases.

12 BY MR. MAGEE:

13 Q. Well, in your opinion, you've seen the
14 French camel poster, you've worked with it at focus
15 groups, does the camel on 5741 look like the French
16 camel poster to you?

17 MR. WILLIAMS: You already asked her if it
18 resembled it, and she said it didn't.

19 THE WITNESS: It doesn't.

20 BY MR. MAGEE:

21 Q. And how about the one on the preceding page?

22 A. Absolutely doesn't.

23 Q. And that's the one with the spiky hair?

24 A. Uh-huh.

25 (Off the record.)

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1 MR. MAGEE: That's the correct page.

2 BY MR. MAGEE:

3 Q. Are you familiar with the picture that
4 appears on page 5740?

5 A. No, I'm not.

6 Q. Have you ever seen that before?

7 A. No, I have not.

8 Q. Have you ever seen the picture that appears
9 on the next page, 5841?

10 A. It's a little hard to see.

11 Q. I apologize for the copy quality, but just
12 do your best.

13 A. I'm not sure I've seen this particular
14 picture.

15 Q. How about the picture on the next page,
16 5742?

17 A. Nope. Never saw this.

18 Q. The top of this page, 5742 says, "French
19 Camels." Do the camels that appear on this page
20 resemble the French camel poster?

21 A. I say that they look like they've been
22 altered considerably versus the original poster. So
23 I would say no.

24 Q. Turn then to Page 5741.

25 A. 41?

1 (Signature reserved.)

2 (Whereupon, at 4:55 p.m., the taking of the
3 instant deposition ceased.)

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me.

Any additions or corrections that I feel are necessary, I will attach on a separate sheet of paper to the original transcript.

I hereby certify that the individual representing himself/herself to be the above-named individual, appeared before me this

_____ day of _____, 1998, and executed the above certificate in my presence.

NOTARY PUBLIC IN AND FOR

MY COMMISSION EXPIRES:

52189 5386

1 WITNESS: FRANCIS CREIGHTON

2 DATE: MAY 19, 1998

3 CASE: R. J. REYNOLDS TOBACCO COMPANY

4 Please note any errors and the corrections thereof on this
5 errata sheet. The rules require a reason for any change or
6 correction. It may be general, such as "To correct
7 stenographic error," or "To clarify the record," or "To
8 conform with the facts."

| | <u>PAGE</u> | <u>LINE</u> | <u>CORRECTION</u> | <u>REASON FOR CHANGE</u> |
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1 C E R T I F I C A T I O N O F R E P O R T E R

2
3 DOCKET/FILE NUMBER: D09285

4 CASE TITLE: R. J. REYNOLDS TOBACCO COMPANY

5 HEARING DATE: May 5, 1998

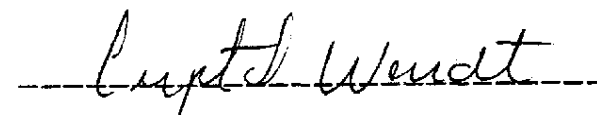
6
7 I HEREBY CERTIFY that the transcript contained
8 herein is a full and accurate transcript of the notes
9 taken by me at the hearing on the above cause before
10 the FEDERAL TRADE COMMISSION to the best of my
11 knowledge and belief.

12 DATED: May 20, 1998

13
14 
15

16 ELIZABETH S. GIRVAN

17 C E R T I F I C A T I O N O F P R O O F R E A D E R

18
19 I HEREBY CERTIFY that I proofread the
20 transcript for accuracy in spelling, hyphenation,
21 punctuation, and format.22
23
24 
25

CRYSTAL WENDT

1 CERTIFICATION OF REPORTER

2

3 DOCKET/FILE NUMBER: D092854 CASE TITLE: R. J. REYNOLDS TOBACCO COMPANY5 HEARING DATE: MAY 19, 1998

6 I HEREBY CERTIFY that the transcript contained
7 herein is a full and accurate transcript of the notes taken
8 by me at the hearing on the above cause before the FEDERAL
9 TRADE COMMISSION to the best of my knowledge and belief.
10

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DATED: May 20, 1998

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CERTIFICATION OF PROOFREADER

21 I HEREBY CERTIFY that I proofread the transcript for
22 accuracy in spelling, hyphenation, punctuation and format.

23

24

25

Crystal Wendt
CRYSTAL WENDT

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HUMPHREY

ESTABLISHED BRANDS RESEARCH

- REVIEW OF ORGANIZATION
- ROLE/ACCOUNTABILITIES

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in
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| EXHIBIT NO. | 1 |
| Wit: | Craigton |
| Date: | 5/19/98 |
| Rptr: | |

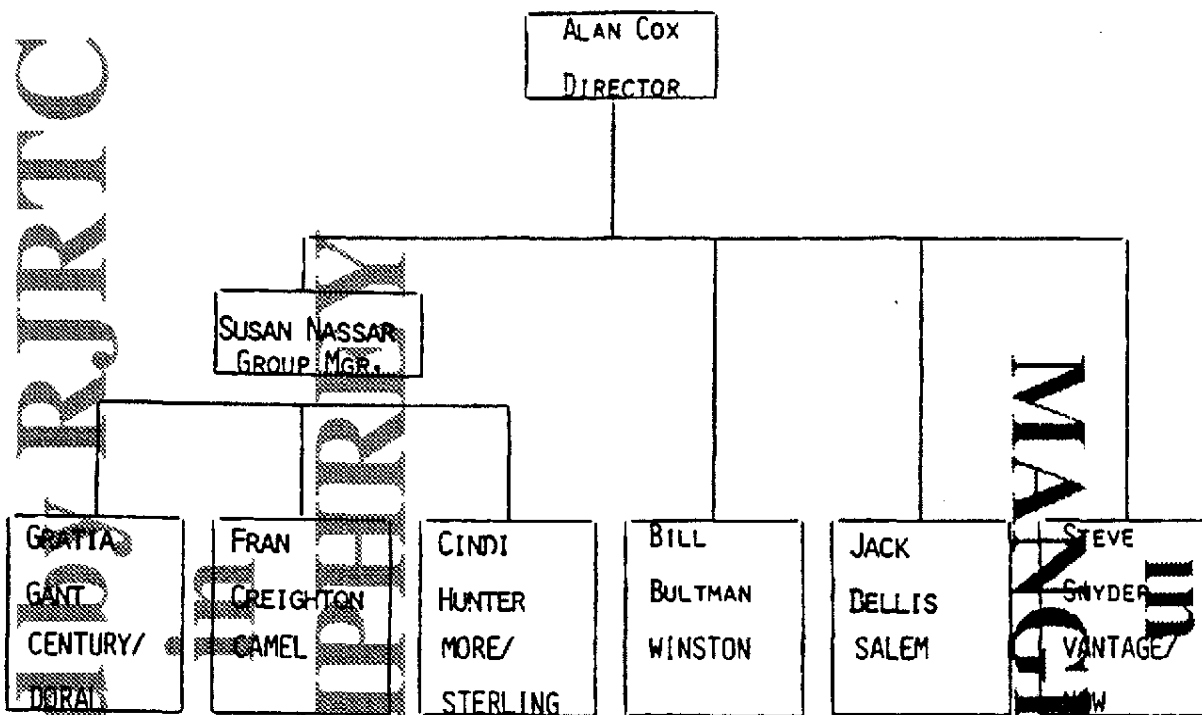
RJR499268

MW006889

52189 5404

10460 3469

1. ORGANIZATION



IN GENERAL, ONE ASSISTANT PER MANAGER.

- SIMILAR TO BRAND MARKETING, ORGANIZED ON A BRAND BASIS.
- SMALLER BRANDS ARE COMBINED BY SEGMENTS.

RJR499269

MW006890

2. ROLE/ACCOUNTABILITIES

- BRAND MARKETING IS OUR SOLE END-USER. WE ARE THEIR PRIMARY LINK TO THE CONSUMER/MARKETING RESEARCH.
- AS SUCH, WE:
 - STRESS A MARKETING ORIENTATION AND ARE ISSUE-DRIVEN AS OPPOSED TO TECHNIQUE-DRIVEN.
 - WORK WITH ALL OF THE ELEMENTS OF THE MARKETING MIX.
 - DO BOTH CUSTOM RESEARCH STUDIES/ANALYSES AS WELL AS SYNTHESIZE CONSUMER/SALES INFORMATION TO PROVIDE COMPREHENSIVE ANALYSES FOR EACH BRAND.
 - VIEW OUR ROLE BROADLY, FROM DATA GATHER TO RESEARCH "EXPERT", TO COLLABORATOR/PROBLEM SOLVER TO ADVOCATE.
 - HAVE EXPERIENCE AND CONSUMER INSIGHTS THAT ALLOW US TO WORK PROACTIVELY WITH, AND NOT JUST REACT TO, END-USERS.
 - MAKE UP THE MDD PORTION OF THE "BRAND TEAM" CONCEPT. THE BRAND TEAM CONSISTS OF MEMBERS OF BRAND, R&D, MDD, AGENCY, MEDIA/PROMOTION.

produced by RJRTC

in DIRECT

MANAGING

produced by RJRTC
in

52189 5406

50460 3471

RJR499270

MW006891

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

1. SUPPORT BRAND MANAGEMENT BY ASSISTING IN IDENTIFYING, DEVELOPING AND EVALUATING STRATEGIC OPPORTUNITIES INTENDED TO IMPROVE PERFORMANCE OF ESTABLISHED BRANDS.

E.G.

- CAMEL/WINSTON REPOSITIONING EFFORTS
- SALEM REASSESSMENT
- MARLBORO VULNERABILITY ANALYSIS
- ESTABLISHED BRANDS POSITIONING REVIEW PROCESS
- IMPROVED TARGET UNDERSTANDING
- 25'S CATEGORY SCENARIO BUILDING
- VARIOUS LINE EXTENSION EFFORTS

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in
HUNTER

MANGINI

produced by RJRTC
in

RJR499271

MW006892

52189 5407

50460 3472

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

2. SUPPORT BRAND MARKETING BY ASSISTING IN DEVELOPING AND EVALUATING MARKETING MIX ELEMENTS ON ESTABLISHED BRANDS, INCLUDING:

- PRODUCT (CURRENT AND PROTOTYPE)
- ADVERTISING (CURRENT, REFINED AND/OR ALTERNATIVES)
- BRAND SPECIFIC SPENDING OR MEDIA EFFORT
- BUSINESS BUILDING PROGRAM

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in

HUMPHREY

MANGINI

in

produced by RJRTC

52189 5408

50460 3873

RJR499272

MW006893

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

3. SUPPORT BRAND MANAGEMENT BY FULLY UNDERSTANDING MARKET BEHAVIOR AND UNDERSTANDING/MEASURING RJR/COMPETITIVE BRANDS' PERFORMANCE BY INTEGRATING SALES AND CONSUMER DATA SOURCES AND COMMUNICATING ANALYSES IN A TIMELY AND RELEVANT MANNER. THIS INCLUDES:

- ON-GOING ANALYSES AND TRACKING REPORTS
- MONTHLY STATE OF THE BRAND ANALYSES
- "FACTORS AFFECTING PERFORMANCE" ANALYSES
- YEARLY BUSINESS ANALYSES IN PREPARATION FOR MARKETING PLANS.
- SAVINGS SEGMENT UPDATES

produced by RJRTC

HUMANITIES

MANGINI

produced by RJRTC
in

RJR499273

MW006894

52189 5409

50460 3474

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

4. CONTINUE TO IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF ESTABLISHED BRANDS RESEARCH VIA:

- METHODOLOGICAL IMPROVEMENTS - ADVERTISING RESEARCH
- ENSURING QUALITY CONTROL OF RESEARCH/ ANALYSES
- MAINTAINING EFFECTIVE COMMUNICATIONS
- MONITORING TIMELINESS AND COST VALUE RELATIONSHIP

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in HENDERSON

MANGINI

produced by RJRTC
in

52189 5410

50060 3475

RJR499274

MW006895

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

1. SUPPORT BRAND MARKETING BY ASSISTING IN IDENTIFYING, DEVELOPING AND EVALUATING STRATEGIC OPPORTUNITIES INTENDED TO IMPROVE PERFORMANCE OF ESTABLISHED BRANDS

E.g.

- MARLBORO VULNERABILITY ANALYSIS
- ESTABLISHED BRANDS POSITIONING REVIEW PROCESS
- IMPROVED TARGET UNDERSTANDING
- 25'S CATEGORY SCENARIO BUILDING
- VARIOUS LINE EXTENSION EFFORTS

produced by RJRTC

in

HUMPHREY

MANGINI

in

produced by RJRTC

52189 5411

50460 3476

HJR499275

MW006896

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

2. SUPPORT BRAND MARKETING BY ASSISTING IN DEVELOPING AND EVALUATING MARKETING MIX ELEMENTS ON ESTABLISHED BRANDS, INCLUDING:

- PRODUCT (CURRENT AND PROTOTYPE)
- ADVERTISING (CURRENT, REFINED AND/OR ALTERNATIVES)
- BRAND SPECIFIC SPENDING OR MEDIA EFFORTS
- BUSINESS BUILDING PROGRAM

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in

HUMPHREY

MANGINI

in

produced by RJRTC

52189 5412

50460 3477

RJR499276

MW006897

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

3. SUPPORT BRAND MARKETING BY FULLY UNDERSTANDING MARKET BEHAVIOR AND UNDERSTANDING/MEASURING RJR/COMPETITIVE BRANDS' PERFORMANCE BY INTEGRATING SALES AND CONSUMER DATA SOURCES AND COMMUNICATING ANALYSES IN A TIMELY AND RELEVANT MANNER. THIS INCLUDES:

- ON-GOING ANALYSES AND TRACKING REPORTS
- MONTHLY STATE OF THE BRAND ANALYSES
- "FACTORS AFFECTING PERFORMANCE" ANALYSES
- YEARLY BUSINESS ANALYSES IN PREPARATION FOR MARKETING PLANS.

produced by RJRTC

in

HUNTER

MANCINI

in

produced by RJRTC

52189 5413

50460 3478

RJR499277

MW006898

2. ROLE/ACCOUNTABILITIES (CONTINUED)

ACCOUNTABILITIES

4. CONTINUE TO IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF ESTABLISHED BRANDS RESEARCH EFFORTS VIA:

- ENSURING QUALITY CONTROL OF RESEARCH/ ANALYSES
- MAINTAINING EFFECTIVE COMMUNICATIONS
- MONITORING TIMELINESS AND COST VALUE RELATIONSHIP

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in

HUMPHREY

MANGINI

in

produced by RJRTC

52189 5414

50463 3479

RJR499278

MW006899

CONSUMER DECISION PROCESS(ES) WORKSHOP

PURPOSE

- TO IDENTIFY AND DISCUSS VARIOUS CONSUMER DECISION PROCESSES WHICH MAY BE AT WORK IN OUR PRODUCT CATEGORIES.
- TO DISCUSS POSSIBLE IMPLICATIONS FOR MARKETING ACTIVITIES:
 - WAYS TO MAKE EFFORTS MORE EFFECTIVE
 - WAYS TO FOCUS EFFORTS TOWARDS KEY STAGES OF PROCESS
(WILL VARY BY CATEGORY)
 - CROSS LEARNING FROM OTHER CATEGORIES
 - ADDITIONAL RESEARCH NEEDS

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HUMPHREY
in

MANGINI

produced by RJRTC
in

52189 5415

50460 3480

RJR499279

MW006900

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THRUST OF WORKSHOP

- THOUGHT PROVOKING
 - NOT NECESSARILY DEFINITIVE
- CONVINCING
 - SOLID ARGUMENTS RATHER THAN RANDOM THOUGHTS
- NOT TRYING TO FIND "THE" DECISION PROCESS
 - WANT TO IDENTIFY SEVERAL
- WANT TO IDENTIFY SEVERAL KEY QUESTIONS WE/OUR END USERS SHOULD BE ASKING
- END USER/MARKETING ACTION ORIENTED

in
HUMPHREY

MANGINI

produced by RJRTC
in

52189 5416

50460 3481

RJR499280

MW006901

produced by RJRTC

in

MANAGINI

in

produced by RJRTC

APPROACH

1. EACH MEMBER WILL IDENTIFY SEVERAL DECISION PROCESSES WHICH MAY BE AT WORK IN THEIR CATEGORIES AND SUMMARIZE BY MAIL.

SUMMARY WILL INCLUDE:

- DESCRIPTION
- KEY ISSUES/QUESTIONS IN THE PROCESS
- HOW CURRENT MARKETING ACTIVITIES ADDRESS/DO NOT ADDRESS

EXAMPLES OF PROCESSES:

- RATIONAL
(~~"THINKING"~~ LEADS TO BUYING)
- EMOTIONAL
(FEELING LEADS TO BUYING)
- ROUTINIZED
(BUYING JUST HAPPENS)
- OTHERS

RJR499281

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50460 3482

EXAMPLES OF QUESTIONS

- How IMPORTANT IS THE DECISION?
- How CONSCIOUS IS THE DECISION?
- How COMFORTABLE IS THE CONSUMER AFTER THE DECISION?
- WHEN IS THE DECISION?
- WHERE IS THE DECISION?
- IS THERE A USAGE DECISION AND/OR A PURCHASE DECISION?
- IS THERE ONE OVERRIDING ISSUE IN THE PROCESS, ARE WE ADDRESSING THAT?
 - IF IT IS A MINDLESS CHOICE, ARE WE "JOLTING"?
 - IF IT IS A P.O.P. DECISION, ARE WE USING IN-STORE ACTIVITY?
 - IF A BRAND MUST BE IN THE "ACCEPTABLE ARRAY", ARE WE?
 - IF THERE IS ONE MAJOR BENEFIT, DO WE STRESS IT?

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in HIRSH

MANGINI

produced by RJRTC
in

RJR499282

MW006903

52189 5418

50460 3483

APPROACH (CONTINUED)

- DECISION PROCESSES SUBMITTED NEED NOT BE ONES ALREADY RESEARCH BY COMPANY.
- KFC, RJRTI: WOULD APPRECIATE ANY INPUT FROM YOU
- INPUT BY 6/15

2. MEMBERS REVIEW CORRESPONDENCE PRIOR TO GROUP MEETING.

3. GROUP MEETING: LATE JUNE/EARLY JULY

- DISCUSS ALTERNATIVES
- NARROW DOWN TO THOSE MOST RELEVANT/ACTIONABLE
- IDENTIFY KEY ISSUES PRESENTED BY EACH
- IDENTIFY INFORMATION GAPS
- OUTLINE PRESENTATION

produced by RJRTC

HUMPHREY

MANGINI

in
produced by RJRTC

52189 5419

50860 3408

RJR499283

MW006904

APPROACH (CONTINUED)

4. PUT PRESENTATION DRAFT TOGETHER - (LATE JULY, MID-AUGUST)

Flow

- EACH PROCESS
 - HOW IT WORKS
 - WHAT CATEGORIES
 - KEY ISSUES/CONSIDERATIONS
 - HOW WE/OUR MARKETING ACTIVITIES CAN AFFECT
- SUMMARIZE
 - CROSS LEARNING
 - THINGS TO CONSIDER DOING DIFFERENTLY

5. REVIEW (SEPTEMBER)

6. PRESENT (OCTOBER)

produced by RJRTC
in
MANGINI

52189 5420

50460 3485

RJR499284

MW006905

APPROACH (CONTINUED)

4. PUT PRESENTATION DRAFT TOGETHER - (LATE JULY,
MID-AUGUST)

FLOW

• EACH PROCESS

- HOW IT WORKS
- WHAT CATEGORIES
- KEY ISSUES/CONSIDERATIONS
- HOW WE/OUR MARKETING ACTIVITIES CAN AFFECT

SUMMARIZE

CROSS LEARNING

THINGS TO CONSIDER DOING DIFFERENTLY

5. REVIEW (SEPTEMBER)

6. PRESENT (OCTOBER)

MW006906

RJR499285

52189 5421

50460 3405

EXHIBIT NO. 2
Wit: C. Knight
Date: 11-17-98
Rptr: AKH

- Confidential -

February 1, 1980

Mr. Hafe Frydman

RE: TEENAGE SMOKERS (14-17) AND NEW ADULT SMOKERS AND QUITTERS

Preamble

The data analyzed in this report was obtained from National Family Opinion, Inc. (NFO) of Toledo, Ohio which maintains a panel of consumers for the purpose of conducting consumer surveys. For the past 15 years RJR has used NFO for product testing and for regularly tracking smoker profile and switching information. The data regarding teenagers, new smokers and quitters is a natural by-product of the tracking of adult smokers.

A. SMOKING AMONG THE 14-17 AGE GROUP

Many adult smokers have already formed consistent smoking patterns by the time they enter the market at age 18. To improve our ability to forecast future trends, this report examines the demographics and smoking behavior of 14-17 year old smokers. It is not designed to be used as a tool for developing marketing strategies for this population group.

The analysis is divided into three sections:

• Demographic description of 14-17 year old smokers - population, incidence, rate, effect on share.

• Share of RJR and competitors among the age group. Included is the net effect of aging on company franchises.

• Future trends.

Spring 1979

Produced to Federal Trade Commission pursuant to subpoena dated June 6, 1997.

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RH0001975

TEENAGE SMOKING

1. The Teenage (14-17 age group) Market

TABLE I

Summary of Demographic Data *

| | MALES | | | FEMALES | | | TOTAL | | |
|-------------------------------|-------|------|--------|---------|------|--------|-------|------|--------|
| | 1975 | 1979 | Change | 1975 | 1979 | Change | 1975 | 1979 | Change |
| Population (Millions) | 8.6 | 8.3 | - 3.4% | 8.3 | 8.0 | - 3.6% | 16.9 | 16.3 | - 5.5% |
| Incidence | 17.0 | 10.6 | -37.6 | 17.4 | 13.1 | -24.7 | 17.2 | 11.9 | -30.8 |
| # of Smokers (Millions) | 1.5 | .9 | -41.0 | 1.4 | 1.0 | -28.6 | 2.9 | 1.9 | -34.5 |
| % of Total Smoking Population | 2.8 | 1.7 | -39.3 | 2.7 | 1.9 | -29.6 | 5.5 | 3.6 | -34.5 |
| Rate/Day | 18.9 | 19.1 | + 1.1 | 15.6 | 16.4 | + 5.1 | 17.2 | 17.7 | + 2.9 |
| Volume (Billions) | 10.2 | 6.1 | -40.2 | 8.3 | 6.1 | -26.5 | 18.5 | 12.2 | -34.6 |
| Share of Market | 1.7 | 1.0 | -41.2 | 1.4 | 1.0 | -28.6 | 3.1 | 2.0 | -35.5 |

* Sources: Population: U. S. Census Projections
Incidence: HEW estimates. 1979 estimates from April 28, 1979 New York Times quoting unpublished HEW report.
Rate/Day: Adjusted NFO.

Key Findings:

- Teenagers (14-17 year old) have decreased from 5.5% of the total smoking population in 1975 to 3.6% in 1979. Furthermore, because their smoking incidence and rate per day are lower than adults, their share of total volume has decreased from 3.14 in 1975 to 2.0 in 1979: This decline is a result of changes in incidence and population.
- Smoking incidence among teenagers declined from 17% in 1975 to 12% in 1979. This represents a decline of 31% for teenagers compared to approximately a 2% decline for adult smokers.

Produced to Federal Trade Commission pursuant to subpoena dated June 6, 1997.

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RH0001976

Mr. U. Frydman
Page Three
February 1, 1980

The number of 14-17 year olds declined from 16.9 million in 1975 to 16.3 million in 1979 for a net decrease of 3.6% in four years.

The rate per day among teenagers increased only slightly during the four year period. Males increased from 18.9/day to 19.1/day, while females increased from 15.6 to 16.4.

2a. Share of Companies and Key Brands Among 14-17 Year Old Smokers

TABLE II

Share Among 14-17 Age Group and Estimated % of Total Industry Volume

| | Share Among 14-17 | | % of Total Industry Volume (Share Points) | |
|----------------------|-------------------|------|--|------|
| | 1975 | 1979 | 1975 | 1979 |
| RJR | 29.9 | 21.3 | .88 | .43 |
| WINSTON | 12.5 | 8.5 | .40 | .16 |
| SALEM | 10.6 | 10.6 | .33 | .21 |
| P. Morris | 39.6 | 58.8 | 1.25 | 1.18 |
| Marlboro | 36.1 | 50.3 | 1.14 | 1.01 |
| American | 1.2 | .3 | .04 | .01 |
| B & W | 22.0 | 8.8 | .70 | .18 |
| Kool | 19.8 | 6.3 | .63 | .13 |
| P. Lorillard | 7.3 | 9.7 | .23 | .19 |
| Newport | 4.3 | 6.7 | .14 | .13 |
| Liggett | 1.3 | 1.0 | .04 | .02 |
| Total Share Points | | | 3.14 | 2.00 |
| Total of Five Brands | 83.1 | 82.1 | | |

* Source: NFO Estimates.

Produced to Federal Trade Commission pursuant to subpoena dated June 6, 1997.

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RH0001977

Mr. U. Frydman
Page Four
February 1, 1980

Key Findings:

- RJR's share of teenager smokers has declined from 29.9 in 1975 to 21.3 in 1979. In 1975 this represented .88% of total industry volume compared with .43% in 1979. This decreasing trend was felt largely by the WINSTON brand family.
- The share of teenagers smokers who smokes P. Morris brands has increased from 39% to 58% in the four year period. P. Morris' increased share is primarily due to teenager smokers strong preference for Marlboro. P. Morris realizes over one share point from purchases by teenage smokers.
- Brown and Williamson's share among 14-17 year olds has dropped from 22 to 8.8. In 1975, teenagers generated .7 share points for B&W, compared with .18 in 1979. Kool's sales losses are the primary reason for B&W's decline.
- R. Lorillard is the only other company beside P. Morris, to have increased sales among 14-17 year olds during 1975-1979. This is largely due to Newport.
- American Tobacco Company and Liggett are declining in share among 14-17 year olds. They are basically now inconsequential factors in the 14-17 year old market.
- It is worth noting that the five key brands represent over 80% of the market for 14-17 year old smokers. Marlboro alone accounts for 50%.

2b. Franchise Aging

Franchise Aging is the dynamic process of young adult smokers (18 year old) entering the smoking population and older smokers (50+) leaving the market. For example, in 1979 approximately one million smokers became 18 years old while approximately 450,000 older smokers left the market. The extent that each company is affected by this process is determined by the age skew of its franchise.

Produced to Federal Trade Commission pursuant to subpoena dated June 6, 1997.

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JR.
 WINSTON
 SABLEM
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 Marlboro
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Produced to Federal Trade Commission pursuant to subpoena

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Mr. U. Frydman
Page Six
February 1, 1980

P. Lorillard has moved into an equilibrium position with regard to aging. Their trend is up, however, and it is expected that they soon will begin to benefit from aging. The gains from aging for Newport have slightly increased.

ATC and Liggett both are losing points due to the aging process. Their concentration in non-filter brands is reflected in their relative older age skew.

Future Trends

- The 14-17 year old smoking population will become increasingly less important in the future. This is due to two factors:

- a) The decreasing size of this age group. As we move further away from the "baby boom" years of 1945-1960 and the birth rate continues to decline, this age group will represent a continually smaller segment of the population.
- b) The decreasing smoking incidence among teenagers. While the rate of decline from 17% to 12% between 1975 and 1979 is unlikely to continue, the general trend is still towards decreasing incidence.

While decreasing in size, young adult smokers will still affect company share. Gains and losses will still be realized from the aging process.

- 1) P. Morris, because of its increasing share among this segment, will realize an increasingly larger share of a smaller pie. While P. Morris' growth curve among young adult smokers cannot continue unabated, there is no apparent reason to expect it to level off in the near future.

Based upon current figures, RJR will continue to lose share points due to the aging process.

- 3) The increasing share trend of Newport may result in Newport, rather than Kool, becoming the primary competitor of SALEM.
- One factor which may mitigate the success P. Morris currently enjoys from aging is the projected growth of the over 50 population. As this age group becomes a larger segment of the population, P. Morris' underdevelopment in this group may begin to be reflected in their share performance.

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

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RH0001980

INTER-OFFICE CORRESPONDENCE

Philip Morris Inc.
Salem, N.C. 27102

FOR

July 1980

| | |
|-------------|-----------|
| EXHIBIT NO. | 3 |
| Wrt. | Creighton |
| Date | 5-77-78 |
| Rptr. | ALA |

TO: Mr. E. A. Horrigan, Jr.
FROM: G. H. Long
SUBJECT: MDD Report on Teenage Smokers (14-17)

Attached is a MDD report covering the aforementioned subject. Last January, a report was issued on this subject that indicated that Philip Morris had a total share of 59 among 14-17 year old smokers, and specifically, Marlboro had a 52 share. This latest report indicates that Philip Morris' corporate share has increased by about 4 points; however, Marlboro remains the same at 52.

Importantly, the report further indicates that RJA continues to gradually decline, and between the spring and fall 1979 periods, RJA's total share declined from 21.3 to 19.9.

Hopefully, our various planned activities that will be implemented this fall will aid in some way in reducing or correcting these trends.

G. H. Long
G. H. Long

CHL/bb

Attachment

50379 0550

52189 5428

RJM 068723

80M00578

PRODUCED TO FTC PURSUANT TO C.I.D. ISSUED 8/1/90

MODERATOR: Ms. Brooke McClure
BRM Research, Inc.
Little Rock, Arkansas

FACILITY: Gayle's Force, Inc./Tulsa Service
1535 South Sheridan
Tulsa, Oklahoma 74112

COST:

| | |
|-----------------------|----------|
| Recruiting/Facility | \$ 7,525 |
| Moderator Fees/Travel | 6,750 |
| Total | \$14,275 |

PROPOSAL PREPARED BY: Fran V. Creighton

CONCURRENCE:

| Marketing Development | | Initials | Date |
|-----------------------|--|------------|------|
| A. M. Cox | | <i>AMC</i> | 7/17 |

| Brand Marketing | | Initials | Date |
|------------------|--|-----------|------|
| L. J. Breininger | | <i>LB</i> | 7/17 |
| R. M. Sanders | | <i>RS</i> | 7/20 |

SIGNED DISTRIBUTION LIST:

Concurrence List
Mr. L. W. Hall, Jr.
Mr. J. T. Weebrenner
Mr. D. N. Iaco
Ms. F. V. Creighton
Ms. C. H. Douglas
Ms. R. E. Kimmer

PROPOSED

REVIEWED

006615

52189 5429

DEPOSITION EXHIBIT

NOT RECEIVED

DEPONENT:

Frances V. Creighton

CASE NAME:

Federal Trade Commission

EXHIBIT NO.:

4 + 5

produced by RJRTC

in

HUMPHREY

52189 5430

| | |
|-------------|-----------|
| EXHIBIT NO. | 6 |
| Wrt: | Creighton |
| Date: | 5-19-88 |
| Rpt: | RA |

CONFIDENTIAL

Advertising Research Report

MDD #87-13202

August 14, 1987

TO: MS. L. J. Breinlinger

FROM: F. V. Creighton

CAMEL GENERAL MARKET CAMPAIGN
FOCUS GROUP REPORT - TULSA

Copies To:

Mr. L. W. Hall, Jr.
Mr. A. R. Cox
Mr. R. M. Sanders
Mr. W. S. Lindquist
Ms. C. A. Williams
Ms. S. H. Douglas
Ms. Desiree Conte (McCann-Erickson)

-MDDC

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5431

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PUBLISHED BY THE MARKETING DEVELOPMENT DEPARTMENT
R.J. REYNOLDS TOBACCO COMPANY, WINSTON-SALEM, N.C. 27102

CX-966

CAMEL GENERAL MARKET CAMPAIGN FOCUS GROUPS - TULSA
(MDD #97-13202)

MANAGEMENT SUMMARY

PURPOSE

This reports MDD's observations from focus groups conducted on new CAMEL general market creative in Tulsa on July 28-29 among CAMEL's target male smokers, aged 18-34.

BACKGROUND

CAMEL has executed a series of new campaign approaches against the brand's general market campaign strategy. In keeping with CAMEL's heritage, the new advertising is intended to make a positive statement about the brand's image of authenticity, self-confidence and individuality in a format which is relevant and emulatable to the brand's target smokers. Additionally, the new advertising is expected to jolt the target smoker through the use of graphics which are non-conventional, contemporary and distinctly ownable by CAMEL.

As is the case with all qualitative research, discussions provide a basis for developing and evaluating marketing hypotheses and should not be considered definitive.

OVERALL OBSERVATIONS AND HYPOTHESES GENERATED

- CAMEL's overall objective of introducing new advertising, which by its unconventional and contemporary nature jolts the target consumer into rethinking CAMEL as a relevant brand choice appears to be very appealing to 18-34 year old male competitive smokers. Advertising campaigns cited by respondents as the most memorable in the market today (all product categories - broadcast and prints) were those campaigns which are for the most part non-conventional advertising, often humorous or slightly irreverent in tone but also those which make a positive individualistic statement. Examples included Budweiser's "Spuds MacKenzie", the "Top Gun" Pepsi commercial, Crown Royal's "Have you ever seen a grown man cry?", the "Joe Piscopo Miller Lite ads, and the "Absolut Vodka" campaign.
- Based on target consumers' reactions to the alternative approaches exposed in these groups, CAMEL's "individualist" copy strategy, which positions CAMEL as a brand that makes a positive statement about a smoker's individuality, is both relevant and emulatable to target smokers. Respondents reacted most positively to imagery which reinforces attitudes of "self-confidence" and "being in control of life" without pushing to the extreme or being an "outsider" or a "loner". Importantly, these smokers indicated a desire to be their own person but remain acceptable to their peer group.

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5432

50589 1626

OVERALL OBSERVATIONS AND HYPOTHESES GENERATED

- Overall, those campaign series which featured the CAMEL brand rather than people as the central character of a storyline more successfully met CAMEL's advertising objectives. These approaches were unconventional, contemporary, emotionally appealing and relevant to target smokers and made a positive statement about CAMEL's authenticity and individualism.

The brand personality campaigns (particularly "CAMEL. Never Ordinary" and "A Different Set of Rules") generated the strongest and usually most positive emotional response among male target smokers. This response was likely a result of the unique and different graphic treatments in these executions, as well as the appealing tone of the advertising (humoristic for "CAMEL. Never Ordinary"; intriguing for "A Different Set of Rules"). This "brand" advertising provided an opportunity for more "unexpected" visuals than the user campaigns which despite the range of users shown (younger adult peer groups - tough rugged males - guy and girl in close conversation) were considered more familiar advertising.

Perhaps due to the simplicity of the graphics and headlines in the "brand" advertisements, the intended brand message was very easily understood by target consumers. The "French Camel" with "CAMEL. Never Ordinary" communicated that CAMEL is unique, contemporary and relevant to younger adult smokers ("CAMEL is cool"; "CAMEL turns over a new leaf", "CAMEL has caught up with the times"; "Not heavy and hard -- CAMEL is light and fun"). "A Different Set of Rules" said to consumers that "it's time for a change to something different--CAMEL".

The "Behind It All Character" and "Character You Can't Fake It" user campaigns provided a more complex message that respondents showed some difficulty in grasping. The connection between the character in the headline to the persona of the user portrayed and to CAMEL overall was often missed so that the communication was less clear and the emotional response was less positive than the "brand" oriented approaches.

Target respondents were attracted to the message/imagery of "CAMEL. Never A Drag" (peer group acceptability), "CAMEL. Now You're Talking" (girl attracted to CAMEL smoker at a bar), "It's CAMEL Or We're Out Of Here" (dedication and loyalty to CAMEL cigarettes) and to a lesser extent, "CAMELS Aren't Sheep" (tough, macho guys smoke CAMEL). Most of these approaches were contemporary and relevant to the target, however, they were not as unique (in general or specifically to CAMEL) as those campaigns which featured CAMEL as the title character (i.e., any brand could have been advertised - not only CAMEL). Additionally, although perhaps appealing, the message communicated in some of these approaches was not consistent with the "individualist" strategy.

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5433

50589 1629

RM041830

SUMMARY OF DETAILED FINDINGS

"CAMEL. Never Ordinary"

Of the nine campaign series exposed to 18-24 year old and 25-34 year old male target smokers, "CAMEL. Never Ordinary" which portrayed the "French Camel" in various social situations, came perhaps the closest to meeting the objectives of CAMEL's advertising strategy. By bringing CAMEL's logo to life in the "French Camel" these executions created a brand personality for CAMEL that by its light-hearted, "party-time" humoristic tone was considered to be very contemporary to younger adult smokers. The "French Camel" seemed to accomplish a truly unique and positive statement of "individuality" but remained well within the boundaries of peer group acceptance. Additionally, the unconventional nature of the advertising provided the desired "jolt", expressed through laughter and overall acceptance, and was considered very distinctly ownable by CAMEL. The line "CAMEL. Never Ordinary" seemed to have a natural and positive fit with the imagery presented in the visuals.

Reactions to "CAMEL. Never Ordinary" were more positive than negative, although some respondents disliked the "cartooney" approach to the CAMEL which they considered to be "silly". The sometimes "surrealistic" images in the background environment were often difficult to understand or considered to be inappropriate. Respondents seemed to want more of a realistic setting, even if "unordinary", but not too far-fetched.



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5434

50599 1630

RM041831



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

THIRTY-ONE
CIGARETTES
PER PACK



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

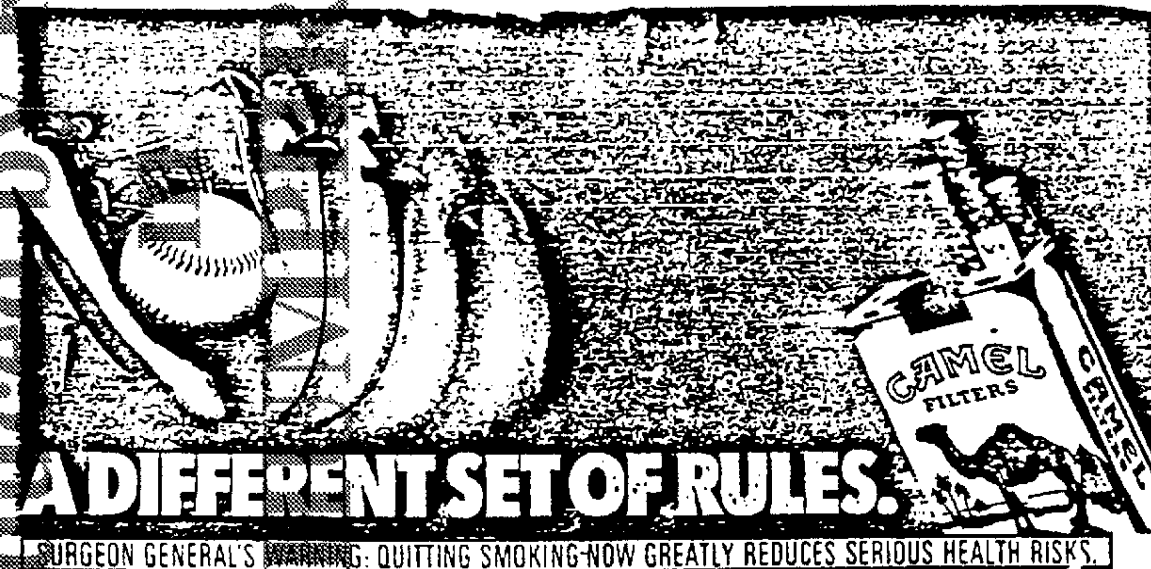
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SCS89 1631

RM041832

"A DIFFERENT SET OF RULES"

"A Different Set of Rules" incorporated a series of objects for which particular characteristics were transformed from their commonly accepted state (i.e., baseball mitt made out of bananas; square poolball rack). The campaign message was driven primarily by the headline and spoke of a change away from tradition and accepted values, time for a move to something different--CAMEL. The unique objects portrayed were very intriguing to target smokers and created an eyecatchy and interesting effect. However, the simple placement of the CAMEL pack next to the objects in the campaign visuals did not integrate CAMEL into a complete story. This seemed to create some confusion as to CAMEL's part in the ad, thus reducing the impact of the headline. The exception was perhaps the execution which replaced a bumblebee with a "CAMELbee" flying over red roses, but the association of CAMEL with red roses was misleading to these male target smokers because of the female link with flowers.



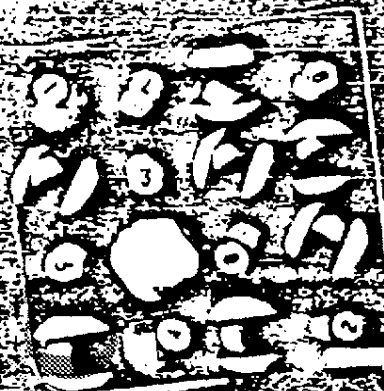
Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5436

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RM041833

"A DIFFERENT SET OF RULES"



A DIFFERENT SET OF RULES.

SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



A DIFFERENT SET OF RULES.

SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



A DIFFERENT SET OF RULES.

SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

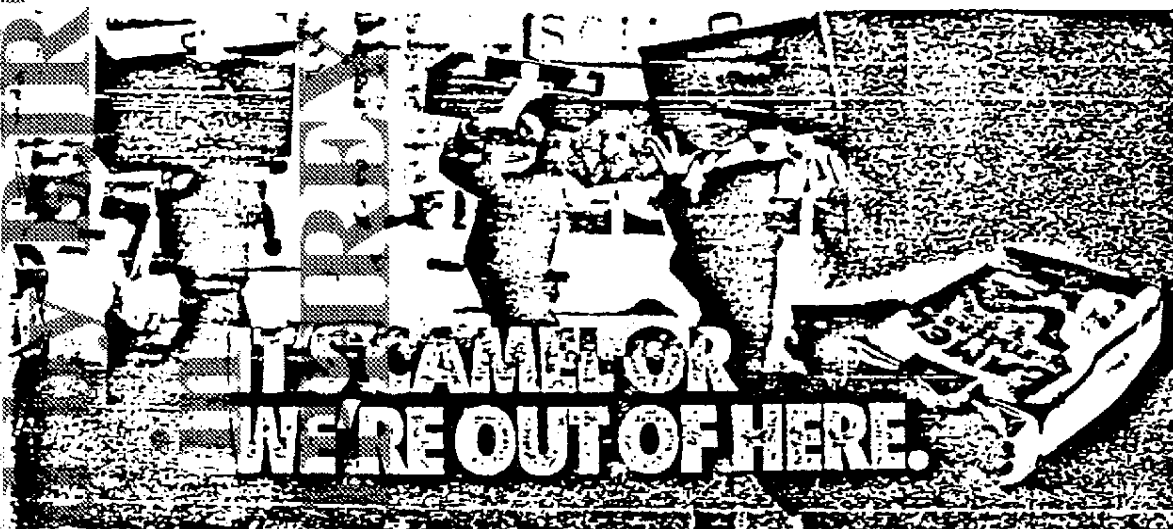
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RM041834

"IT'S CAMEL OR WE'RE OUT OF HERE"

"It's CAMEL or We're Out of Here" communicated a positive message of dedication and loyalty to CAMEL, and tended to spark an empathetic note with target smokers who feel very loyal to their own brands. The message of these ads seemed to be a natural extension of the "I'd Walk a Mile For a CAMEL" campaign, even though respondents preferred the visuals which showed the positive feelings derived from a group of friends who "stick together" rather than the individual who becomes a "loner". Although the message in these ads was positive, this approach was not considered to be uniquely ownable by CAMEL and was perhaps even more suited to their own Marlboro rather than providing a means to enhance or change perceptions of CAMEL.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5438

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RM041835



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

subpoena

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RM041836

"BEHIND IT ALL CHARACTER"

Respondents demonstrated some difficulty in tying together the visual elements of the "Behind It All Character" ads with the headline so that they often didn't seem to understand the intended message about the individuality and "character" of the CAMEL brand and user. Even when understood, many of the cues and symbols for the male characters were unrelatable to the target and did not fit the intended strategy (i.e., guy in trenchcoat seen as foreign or upscale; white collar boss yelling at blue collar worker seemed real but unappealing). The execution which portrayed a guy leisurely watching a film or man with a full range of equipment surrounding him provided appealing, relevant and emulatable imagery although the association with "character" remained vague. "Character" in itself was perceived to range from inherent qualities "you are born with" to a state that must be "earned through hard work" and while "character" was an emulatable personality characteristic, respondents did not uniformly recognize the users portrayed as having "character".

The backdrop of the CAMEL pack provided immediate CAMEL brand recognition, however, these target consumers were not particularly intrigued by the graphic technique overall. As such, it did not enhance the meaning of the advertising and the potential mystery and intrigue was essentially lost.



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5440

50589 1636

RM041837

"BEHIND IT ALL. CHARACTER."



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

Trade Commission pursuant to subpoena
dated June 4, 1997.

52189 5441

50589 1637

RM041838

"CHARACTER YOU CAN'T FAKE IT"

Similar to "Behind It All Character" the headline "Character You Can't Fake It" was supported primarily by a male user who by his dress, lifestyle and physical "attitude" is intended to represent the "character" of the CAMEL smoker and by association with him, the CAMEL brand. In many cases respondents did not appear to fully understand the connection between the visual and the headline so that the theme of "the authentic individual" was not always effectively communicated.

"You Can't Fake It" was also considered to be somewhat challenging or even threatening because those who truly don't have "character" but try to fake it, look foolish to other people. Additionally, respondents did not seem to interpret the "character" in these executions uniformly. The "Pool Player" was described as "a boxer", "The Fonz", "Dex Dexter" of Dynasty, "upper class", "like a foreman", "highway patrolman", "stuck up and cocky", "just a guy who plays pool", "a leader", "a poker player", "Old West".



52189 5442

51589 1636

RM041839

CHARACTER. YOU CAN'T TAKE IT.



Submitted to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5443

50589 1639

RM041840

"CAMELS AREN'T SHEEP"

Based on the "hard-look" in the close-up of the facial expression and the headline "CAMEL's Aren't Sheep", respondents interpreted "CAMEL" in the executions to be the opposite of "weak", "wimpy", "shy", sheep. As such, this campaign suggested that CAMEL users are "strong", "tough", rugged men who "have stamina". The CAMEL smoker was also seen through this campaign as standing apart from the crowd--perhaps even be the leader. However, the "attitude" and expression could also mean "meanness", "mafia" and "macho" and the individual could be "too far apart from the crowd" or "a loner".

Respondents recognized two of the characters portrayed as well-known actors, which seemed to contribute to their positive response. Other than this recognition, the emotional response to these ads was not particularly strong or positive. Additionally, although the visual image complemented the headline, the visual in itself did not create a uniquely CAMEL story to target respondents.



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5444

50589 1640

RM041841

"CAMELS AREN'T SHEEP"



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5445

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RM041842

"CAMEL NOW YOU'RE TALKING"

AND

"TURN A FEW HEADS"

The signal of acceptance given by the attractive girl to the CAMEL smoker in "CAMEL Now You're Talking" and "Turn a Few Heads" was very appealing to target smokers. Smokers saw these executions as very real life situations that they relate to. The story goes "after working hard all day, these people go out for a beer and some good times". The CAMEL smokers' "success" with the girl was considered reflective of his overall success in life, "he's self-confident and things are going his way". The line "CAMEL Now You're Talking" appeared to integrate CAMEL more into the persona of the man than "Turn A Few Heads" which called more attention to the physical appearance of the guy shown in the ad.

Despite the appeal and relatability of these situations to target consumers, the advertising was considered to be familiar and as such it wasn't unique as a general storyline or as a distinctly CAMEL statement versus other brands/products.



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5446

52189 1642

RM041843

"CAMEL, NOW YOU'RE TALKING"
And
"TURN A FEW HEADS"



TURN A FEW HEADS.

CAMEL FILTERS

SMOOTH - TURKISH & DOMESTIC BLEND

SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



TURN A FEW HEADS.

CAMEL FILTERS

SMOOTH - TURKISH & DOMESTIC BLEND

SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

Produced by Federal Trade Commission pursuant to dated June 6, 1997.

52189 5447

50586 1643

RM041844

"CAMEL. NEVER A DRAG"

"CAMEL. Never A Drag" generated a response very similar to CAMEL's previous "sociability" campaign executions. Two or more friends are out having a great time and CAMEL's are a part of the fun. These male smokers saw themselves and their friends in similar situations -- "partiers" "looking for girls" so that they relate easily to the message, particularly the 18-24 year old smokers. The 25-34 year old males interpreted these ads more negatively and less on their own level -- "non-conformist", "weird guys", "guys you would stay away from."

The line "Never A Drag" seemed to fit the contemporary tone of the advertising although the dual meaning of "drag" created some confusion and negative responses when associated with cigarettes.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

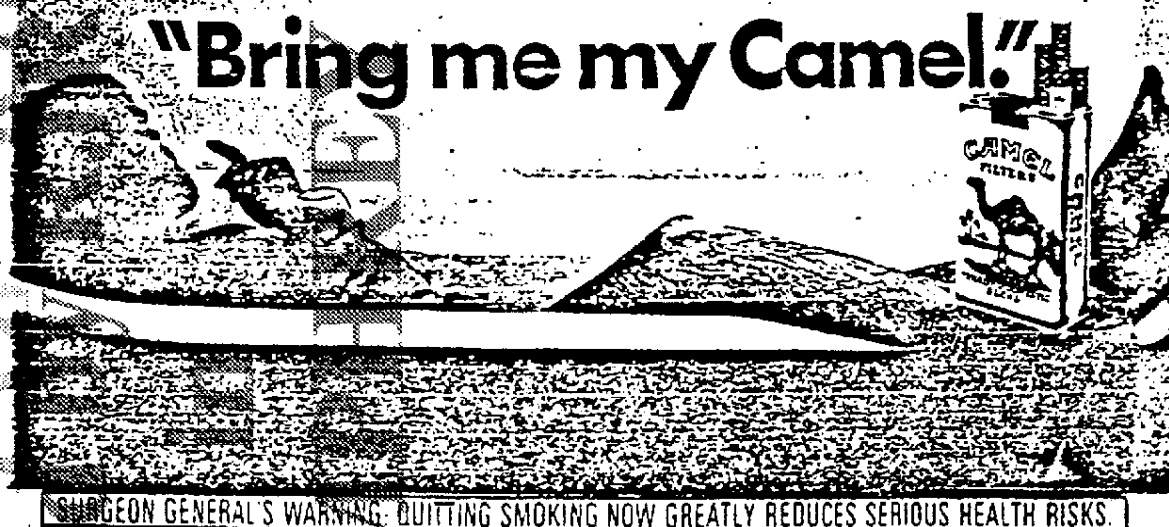
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"BRING ME MY CAMEL"

The imagery and storyline generated by "Bring Me My CAMEL" with the guy in the bathtub was almost entirely negative. The CAMEL smoker was interpreted as "hollering" to his "fat wife" or his "girlfriend" to bring him his CAMEL cigarettes. If it's his wife "she'd holler back", if his girlfriend "she would leave". This led to perceptions of the CAMEL smoker as an older and obnoxious redneck who (needless to say) was not relatable to the target.



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5449

RM041846

"BRING OUT THE BEAST"

The headline "Bring Out The Beast" suggested a "manly", "tough" user image and a "strong" cigarette. This line seemed to fit best with the visual that showed a group of guys having a cup of coffee with the CAMEL "beast" in the background. This story and setting was more identifiable to 25-34 year old males than 18-24 year old males. The 18-24 year old males responded more positively to the use of this line in the visuals perviously shown as "CAMEL. Never Ordinary", although the "beast" headline was considered to be less fitting to the visual. For some respondents the idea of the "beast" suggested negative overtones of an association with the devil (although this association may have been more likely to occur in Tulsa given its religious orientation).



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.



SURGEON GENERAL'S WARNING: QUITTING SMOKING NOW GREATLY REDUCES SERIOUS HEALTH RISKS.

to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5450

2000 1040

RM041847

EXHIBIT NO. 7
 WR: Creighton
 Date: 5-19-91
 Rpt: SPH

MARKETING RESEARCH PROPOSAL
 (MDD #87-13203)

TITLE: CAMEL 75TH BIRTHDAY CELEBRATION ADVERTISING CREATIVE

PURPOSE: To qualitatively assess the communication and appeal of alternative creative approaches to celebrate CAMEL's 75th birthday.

BACKGROUND: In 1988, CAMEL will celebrate its 75th year in the market. A series of special creative approaches has been developed to mark CAMEL's birthday year. The 75th birthday creative is intended to make a brand statement which is consistent with CAMEL's overall general market "individualist" copy strategy within the context of the CAMEL birthday celebration.

Focus groups are planned among target smokers in order to explore the communication and appeal of alternative creative and to provide direction for future refinements.

METHODOLOGY: Three focus groups will be conducted among 18-24 year old and 25-34 year old males on August 17 in Tulsa, Oklahoma (average CAMEL BDI). Groups will be recruited according to the following criteria.

- Male smokers 18-24 (2 groups) or 25-34 (1 group)
- Full Flavor or FFLT, non-menthol filtered cigarettes
- Non-CAMEL smokers
- High school education through some college or technical school but not currently attending college
- No cigarette interviews/discussions in last 12 months.

| TIME | Date | Day | Time | Group Composition |
|------|-----------|--------|-----------|----------------------|
| | August 17 | Monday | 4:00 p.m. | 18-24 year old males |
| | | | 6:00 p.m. | 25-34 year old males |
| | | | 8:00 p.m. | 18-24 year old males |

MODERATOR: Ms. Brooke McClure
 BRM Research, Inc.
 Little Rock, Arkansas

FACILITY: Gayle's Force, Inc./Tulsa Service
 1535 South Sheridan
 Tulsa, Oklahoma 74112

50687 7633

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004412

| | | |
|--------------|-------------------------|---------|
| <u>COST:</u> | Recruiting/Facility | \$5,055 |
| | Moderator's Fees/Travel | 4,350 |
| | Total | \$9,405 |

PROPOSAL PREPARED BY: Fran V. Creighton

CONCURRENCE:

| MARKETING DEVELOPMENT | |
|-----------------------|------------------------|
| | Initials Date |
| A. R. Cox | <i>[Signature]</i> 8/7 |

| BRAND MARKETING | |
|------------------|-------------------------|
| | Initials Date |
| L. J. Braininger | <i>[Signature]</i> 8/10 |

SIGNED COPY LIST

Concurrence List

Mr. L. W. Bell, Jr.
 Mr. J. T. Conebrenner
 Mr. D. W. Kouco
 Mr. E. M. Sanders
 Ms. F. V. Creighton
 Mr. D. H. Engle
 Ms. L. R. [unclear]

MDIC

REQUEST
 MAXMAN

produced

REVIEWED

004413

50687 7634

50589 1648

52189 5452

CONFIDENTIAL

EXHIBIT NO. 8
Wit: Creighton
Date: 5-19-98
Rptr: XCA

Promotion Research Report

MRB 157-13204

AUGUST 27, 1987

TO: Mr. F. V. Creighton
Mr. J. J. Gohn

FROM: Mr. S. L. Snyder

CAMEL 75th BIRTHDAY

Promotion Ideas

COPY LIST:

Mr. J. B. Conrad
Mr. R. J. Hansen
Dr. J. L. Garza
Ms. K. V. McCaffrey
Mr. S. B. Finch
Mr. B. H. Kopp
MDIC

PUBLISHED BY THE MARKETING DEVELOPMENT DEPARTMENT
R. J. REYNOLDS TOBACCO COMPANY, WINSTON-SALEM, N.C. 27102

AIRT Form 7551 - 4/82

CX-960

87M01097

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75TH BIRTHDAY PROMOTION IDEAS
(MDD #87-13204)

MANAGEMENT SUMMARY

BACKGROUND: In 1912, CAMEL will celebrate its 75th year in the market. In addition to special advertising creative planned to mark the birthday celebration, a series of promotion ideas (including coupons, retail events, and premiums) were generated to appeal to CAMEL's target of competitive male 18-24 smokers. The objective of these promotions is to project a brand image consistent with CAMEL's "Hard-Boiled" brand strategy (see attachment one) within promotion vehicles that are appealing to target smokers.

METHODOLOGY: Three focus groups were conducted, two among target competitive male non-menthol smokers 18-24 years old and one among competitive 25-34 male smokers. Groups were conducted in Tulsa, Oklahoma on August 18, 1987.

NOTE: When reading the findings of this study, the following should be kept in mind:

- Qualitative information drawn from small samples cannot be precise as to how consumers had one opinion over another, nor can they represent the entire range of opinions and attitudes.
- Comments made by respondents in the sessions are sometimes "expert" rather than expressing their true opinions. Although the professional moderator/analyst has taken this into account as well as possible, this point should be kept in mind.

This report and analysis contains a certain amount of interpretation on the part of the analyst.

CONCLUSIONS/KEY FINDINGS

- Consistent with previous opinion learning among younger adult male smokers (such as the Market Research Focus groups conducted 5/87) promotion concepts that generated the greatest level of appeal had the following characteristics.
1. Be easy to participate -- the promotion should be readily accessible and require little effort to participate.
 2. Have a high perceived value -- the value of the desired promotion item should be at least equal to the cost of the purchased product.
 3. Have a low cost of entry -- as most younger adult males buy their cigarettes by the pack, their level of participation in a cigarette promotion will be high if it requires no more than a 3 pack purchase.

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4. Have a quality appearance -- this characteristic is particularly relevant for premium items where it is important that good construction and quality materials are used.

5. Be appealing to the target group -- promotions with above average appeal project an element of fun/excitement that complemented young male smokers desire to "enjoy life."

6. Be unique -- promotions should not be readily available elsewhere either in their basic form or how they are styled to attract the appeal of younger adult male smokers.

Three of the six characteristics appeared to play a greater role among CAMEL's group of 18-34 competitive male smokers. "Ease of participation" is very important as these smokers repeatedly stated that they would go out of their way to participate in a promotion. In addition, they usually don't have \$10 or more cash in their pocket to spend on a purchase, it is important that there be a "low cost of entry", no more than 3 packs in order to maximize reach among this group. It was clear through their choice of promotion concepts that the characteristics of being "different/unique" played a key role. The primary reason for this is that younger adult male smokers are more likely to view promotions as a means of expressing their individuality and desired lifestyle (to be seen as fun/exciting as well as successful/upward striving).

• Of the eight alternative promotion concepts evaluated in this research, eight performed well above-average levels of appeal based on their ability to perform well on the above characteristics.

1. Free T-Shirt with 3 pack purchase had a high perceived value, was easy to participate in, had a fairly low cost of entry with an attractive design that was seen as fun/different from other t-shirts.

2. Mug with 2 pack purchase had many of the same characteristics as the party t-shirts with smokers saying they would collect four different CAMEL logo designs.

3. Two Free Verbena Cigarettes guaranteed to every smoker sending in 75 packs of purchase was a very popular promotion as smokers perceived it to have a very high value. However, it should be noted that the number of tickets available is limited, the appeal of this offer was reduced. Nonetheless, it does demonstrate that there is an opportunity to tie in the purchase of product to attendance of social events among this target group.

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Card Game with a card inserted into every pack of CAMEL's was considered fun, easy to participate in, of high value and different from other cigarette promotions. Similar to the above concept, the appeal of this promotion could potentially be reduced if other rules/requirements are added in order not to make it a game of chance. Nonetheless, and as seen in other research (such as the '86 Promotion Responsiveness Study), there is a lot of appeal/potential for game promotions among younger adult smokers because of their inherent perceptions as being fun/exciting relative to other types of promotions.

CAMEL "Keeper" in a one pack version was seen as desirable to help keep their cigarettes dry and keep them from getting crushed. It is easy to get, is attractive/functional and as such, represents a good value (buy a pack and get the pack "keeper" free). Since it is available at retail, it is also easy to participate in the offer and has a low cost of entry.

Free Auto Shades with a 2 pack purchase did well as it was easy to participate, had a low cost of entry, represented an item that is popular and serves a useful purpose, had a unique/attractive design on it, and had a high perceived value relative to the cost of the product purchased.

Pick Your Favorite Paramount Movie Video for \$4.95 with a 3 pack purchase performed well if the movies available are desirable, thereby making it a high perceived value. Also, as it is available at retail, it is easy to participate in.

"Buy a CAMEL, Get a Jeep" represented the only sweepstakes concept (of six evaluated) to perform well. This learning is consistent with in-market results that demonstrate a below-average level of participation in these events among target younger adult male smokers. It is hypothesized that "Buy a CAMEL, Get a Jeep" performed better than expected because it was very easy for target smokers to participate in since they were automatically entered when redeeming a pack coupon. It also had a low cost of entry. The only drawback voiced by smokers in the groups was that they realized the odds of winning are small and that these types of promotions are fairly common.

NEXT STEPS

Specific next steps will be determined in a meeting to discuss results of this report between Managers in Brand Marketing, Brand Promotions, Established Brand Research and Brand Promotion Research.

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DETAILED FINDINGS:

Consistent with prior promotion learning among competitive younger adult male smokers (such as the Magna premium focus groups conducted 5/87), premiums that generated the most appeal had the following characteristics (see attachment two for a complete listing of the CAMEL promotion concepts).

Easy to Participate - This is a key criteria as target smokers repeatedly said they "would not take out the time" or "be bothered" by having to do work to participate in a promotion.

Examples of promotions that performed well on this dimension were:

- "Buy a CAMEL, get a Jeep" where smokers were automatically entered into the jeep sweepstakes when they redeemed their CAMEL pack coupon.
- "Free Party T-Shirts" with 3-pack purchase of CAMELS (shirts would be available at the point-of-purchase).
- Mugs/Hat/Sunglasses with purchase at retail. These were more traditional offers that had appeal because of their ready availability at the point of purchase.

Examples of promotion concepts in these groups that had an element of "extra effort" to them were:

- "Guess the number of packs sold since 1913" to win \$75,000. Target smokers thought it would be too difficult to estimate the number sold and a hassle to write it down/send it in.
- "Decorate your car with CAMEL Symbols" to win a car of your dreams - also too much work and did not want to be seen driving a car that had advertising on it.

High Perceived Value - Promotion concepts that had a high perceived value were generally found appealing. For a promotion to have a high perceived value, the value of the desired promotion item should be at least equal to the cost of the purchased product. Promotions that performed well on this dimension were:

- "Two Free SuperBowl Tickets with 75 Pack Proofs of Purchase" which had a high perceived value (almost all target smokers said they would participate in this offer).
- "Free Party T-Shirts" with 3-pack purchase. Target smokers thought the t-shirt was worth about \$8 - \$10, well worth a 3-pack purchase.
- "Paramount movie video for \$4.95 with 3-pack purchase" (providing the right movies were available). Target smokers said that good movies usually cost \$50.00 or more to buy them.
- Free Mugs/Beverage Holder with 2 pack purchase.

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Promotions that did not perform as well as most on this dimension were:

- "\$2/off on a six pack of beer with a 3 pack purchase" appeared too complex a purchase transaction to determine if it represented a good deal.
- "Desert Survival Kit" for \$6.00. The kit would be purchased at retail and contained a Bandana, sunglasses, desert survival guide and a pack of CAMEL cigarettes. Target smokers thought this was "a lot of money to pay for one pack of cigarettes" and other items in the kit of questionable quality (such as the sunglasses...).

3. Low Cost of Entry - Research studies have repeatedly shown that younger adult male smokers typically buy their cigarettes by the pack, because they usually don't have the money to lay down \$10 for a carton. Therefore, to maximize their participation in a promotion offer, it should require no more than a 3 pack purchase to participate. Promotions that performed well on this dimension were:

- "Hitch a Ride with a CAMEL" where use of a pack coupon automatically entered them into a vacation sweepstakes.
- Free T-Shirts with a 3 pack purchase and free sunglasses/mugs/beverage holders with a 2 pack purchase.

Promotions that did not perform well on this dimension were:

- "Free T-Shirt" ("Don't Bust My Hump") with purchase of a carton. T-shirt was attached to carton.
- Free "Carton Keeper" with purchase of a carton.
- \$6.00 for purchase of a "Desert Survival Kit" is too large a cash outlay (especially when you only get one pack of cigarettes in the kit).
- Free hats with a 6-pack purchase—many considered this to require too large an initial cash outlay to participate. (In pack-oriented retail outlets frequented by this target, packs often cost more than \$1/pack which makes the cost of a 6-pack about \$7.00).

4. Quality - It is important that the premium have good construction with quality materials. These considerations were brought up most often with regard to sunglasses, mugs and t-shirts where many of the smokers had participated in offers of this type and found the merchandise to be "cheap", i.e.:

- Decals on the t-shirts faded in the wash.
- Sunglasses didn't fit right and/or broke.
- Mugs broke easily or cracked.

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5. Attractiveness/Style - These smokers were often attracted to promotions that had an element of fun and excitement that complemented their basic desire to "enjoy life" and "have a good time". Interestingly, these smokers recognize items that have these design characteristics as being targeted to them, which acts to increase their purchase appeal. Promotions that performed well on this dimension were:

- Free "Party" T-Shirts had a CAMEL design that was very appealing to target smokers. Many said they would collect all four t-shirts, each of which depicted the CAMEL in a fun/exciting "party" situation under the theme "endurance tested".

- Bumper stickers with 2 pack purchase that read "Watch Out For CAMEL Spit" and "CAMEL smokers get a hump every day."

- "Card Game" where a card is placed in each CAMEL pack and a smoker wins cash or prizes by getting the right cards (to form a pair, full house, straight, etc.). This had an element of fun to it and many target smokers said they would participate for a month or two to see what kind of cards they would get (if they received the same cards over and over again, they would drop out of the promotion).

Promotions which did not perform as well on this dimension were:

- "CAMEL Tail" that would be attached to the back of a car was considered to be appealing to "frat brats."

- "Free Belt Buckle" with two pack purchase was considered by target smokers to have an older adult appeal.

- "CAMEL Spit Cologne" free with two pack purchase went too far and was considered unreasonable for anyone to wear something called "CAMEL Spit."

- "CAM Posters" free with two pack purchase were not as relevant as some of the other promotion concepts in addressing target smoker wants and lifestyle needs.

6. Different/Unique - Last but not least, promotions should not be readily available elsewhere -- either in their basic form or how they are styled to attract the attention/appeal of the younger adult male smoker. Examples of promotions that performed well on this dimension were:

- "CAMEL Card" game where most smokers stated that they had not seen a game promotion of this type in packs of cigarettes before.

- T-Shirt designs that employed the unique/fun-looking CAMEL logo were considered different and not available elsewhere.

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Examples of promotions that did not perform as well on this dimension were:

- "CAMELflage" that offers high quality CAMEL clothing for a good price/value. As many target smokers are Marlboro smokers, they are aware that their own brand already provides them the opportunity to take advantage of high quality branded clothing.
- "Free lighter" with two-pack purchase was considered too common by most to get them to switch their purchase to CAMEL. (Marlboro runs this type of promotion occasionally).

For a summary of findings on promotion concepts with average or below average overall ratings, see attachment three.

Produced by RRTC
produced by RRTC

MAXIM

HUMPHREY

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RECEIVED

ATTACHMENT ONE

Copy Strategy

The Individual

The advertising will position CAMEL as an authentic brand for smokers who are admired and respected by their peers because their attitudes and lifestyles distinguish them as individuals who challenge convention and stand tall.

CAMEL is uniquely able to fulfill these needs because of its heritage as a brand that makes a positive statement about a smoker's individuality. CAMEL smokers refuse to settle for the ordinary, preferring to make a statement that affirms their independence and projects an image which is respected and admired by others. Importantly, CAMEL is an authentic cigarette whose taste goes beyond the common product values of the segment.

Advertising Tone

The advertising should jolt the target consumer into rethinking the Marlboro choice. Therefore, graphics should be nonconventional, contemporary and distinctively ownable to CAMEL.

The graphics and copy should provide a positive, emulatable, and relevant image to target smokers.

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ATTACHMENT TWO

Listing of Promotion Concepts

| <u>Name</u> | <u>Description</u> |
|-------------------------|---|
| • CAMEL "Keeper" | - Carton "keeper" free at retail with purchase of a carton - Pack "keeper" free at retail with purchase of two packs |
| • Paramount Movie Video | - Selection of video movies available at retail for \$4.95 with a three pack purchase. |
| • Camelflage | - Branded high quality outdoor clothing that would be self liquidating (send in proofs of purchase with small amount of money). |
| • Free Beer | - Save \$2 at retail on a six-pack of beer when also buying three packs of CAMEL. |
| • Games | - Guess the number of CAMEL packs sold since 1913 and win \$75,000 - Find the hidden CAMEL symbols in the picture and win \$75,000. - Decorate your car with CAMEL symbols to win the car of your dreams. - Sweepstakes for \$750,000 in cash/prizes that you enter by sending in an entry form with proof of purchase. - "Buy a CAMEL, Get a Jeep" with smoker automatically entered in sweepstakes by redeeming a pack coupon. - "Hitch a ride with a CAMEL" with smoker automatically entered into a vacation sweepstakes by redeeming a pack coupon. |
| • Superbowl Tickets | - Send in 75 pack proofs of purchase and get two tickets to the superbowl. |

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ATTACHMENT TWO
(continued)

Listing of Promotion Concepts

| Name | Description |
|-----------------------|--|
| • T-Shirts | <ul style="list-style-type: none"> - Four "Party" T-shirts with different CAMEL logo's free at retail with a 3 pack purchase. - T-shirt with pocket that reads "for our 75th anniversary, we'll give you the shirt off our back" free at retail with a 3 pack purchase. - T-shirt that reads "which animal appears on the world's most famous cigarette pack? (see answer on back)" free at retail with 3 pack purchase. - T-shirt that reads "Don't bust my hump" (with a picture of an older looking CAMEL) available free at retail with a carton purchase. |
| • Posters | <ul style="list-style-type: none"> - "CAM" posters free at retail with a 2 pack purchase (Cambo, King Cam, Cam Fu, Play it Again Cam, etc.) |
| • Mugs | <ul style="list-style-type: none"> - Free beverages holder and mug available at retail with two-pack purchase. - Four mugs with different CAMEL designs free at retail with two pack purchase. |
| • Desert Survival Kit | <ul style="list-style-type: none"> - For \$6.00 at retail, kit contained a pack of CAMELS, a lighter, a bandana, sunglasses and a desert survival guide. |
| • Belt buckle | <ul style="list-style-type: none"> - Free belt buckle available at retail with 3 pack purchase. |
| • Super Shades | <ul style="list-style-type: none"> - Free sunglasses available at retail with 2 pack purchase. (Mirrored lenses with CAMEL logo on corner of lense and/or end of stem). |
| • Hat | <ul style="list-style-type: none"> - Free hat with CAMEL logo patch available free at retail with six-pack purchase. |
| • Bumper Stickers | <ul style="list-style-type: none"> - Free at retail with two-pack purchase with sayings such as: "CAMEL smokers get a hump every day," "I brake for CAMELS," "watch out for CAMEL Spirit," and CAMELS are for Lovers." |
| • Auto Shades | <ul style="list-style-type: none"> - Get a free auto shade at retail with two-pack purchase. Shade has CAMEL logo design on it. |
| • CAMEL Tail | <ul style="list-style-type: none"> - Get a free CAMEL tail at retail with two-pack purchase. (It attaches to the back of the car and looks like a real CAMEL's tail). |

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ATTACHMENT TWO
(continued)

Listing of Promotion Concepts

| <u>Name</u> | <u>Description</u> |
|----------------------|---|
| • Window Signs | - Selection of square yellow window signs for the car that are free at retail with a two pack purchase. Copy would be similar to that explored for the bumper stickers. |
| • CAMEL Spit Cologne | - Free cologne at retail with a two-pack purchase. |
| • Lighters | - Free lighter at retail with a two pack purchase. |
| • "Empty Pack" - 25¢ | - Bring in your empty pack to retail and you'll get \$.25 off on your next pack of CAMEL's. |
| • CARD GAME | - Get a different playing card inside each pack and win money/prizes if you are able to get certain poker hands out of it (like a full house, straight, etc.) |

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ATTACHMENT THREE

Promotion Concepts With Average Appeal

- Carton Keeper - is an attractive way of holding your cigarettes/keeping them fresh but the cost of participating is too high (requires a carton purchase).
- Free Beer - The combination of beer and cigarettes was well recieved but target smokers had a difficult time determining whether \$2.00 off on a six-pack of beer with a 3 pack purchase of CAMEL's was good deal or not.
- Hitch a Ride With CAMEL - This promotion could easily be improved to show average appeal by converting the sweepstakes prizes into something more attractive than vacations (target expressed having a difficult time trying to get days off to take a vacation).
- "For Our 75th Anniversary, We'll Give You The Shirt Off Our Backs" - The "patty" t-shirts were more popular than this version, although they did like the fact that this one had a pocket.
- CAM Posters were generally considered to young (more suitable for teenagers), although there was a lot of interest in the "Cambo" alternative. Some of the other alternatives like "Play it again Cam" and "King Cam" were seen as out-of-date and more reflective of CAMEL's old heritage.
- Super Shades - Represented a good retail promotion but one that has been done quite often. Quality will be a key consideration to participation in this event.
- Hats - were very popular among younger adult male smokers particularly 25-34 year olds. Unfortunately, quite a few said they would not participate as it required the purchase of six packs to get the hat free and it was not seen as different/unique from other hat offers (some said they already had enough hats).
- Free Lighter - with two pack purchase, is always a good/popular promotion. However, it is also very common (Marlboro runs one occasionally) and many said they would not buy CAMELs just to get a lighter.
- "Empty Pack" - worth 25¢ on your next purchase of CAMELs initially generated a lot of interest. However, after smokers gave it a little consideration, they decided it would be too much hassle to bring in an empty pack each time and that at \$1.15/pack, it would still cost about a \$1 to buy a pack of CAMELs (i.e., not much of a cost savings).

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EXHIBIT NO. 9
Wt: *Cheighton*
Date: *5/11/85*
Rpt: *1/11*

CONFIDENTIAL

Marketing Research Report

February 1, 1985

TO: Mr. C. Field

FROM: Alicia Nance Mitchell

CAMEL YOUNGER ADULT SMOKER FOCUS GROUPS
(MDD #85-13202)

Copies To:

Mr. L. W. Hall
Mr. A. R. Cox/Mr. D. H. Murphy
Mr. J. T. Winebrenner
Mr. D. F. Baker (McCann-Erickson)

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5466

ANM:ca

PUBLISHED BY THE MARKETING DEVELOPMENT DEPARTMENT
R.J. REYNOLDS TOBACCO COMPANY, WINSTON-SALEM, N.C. 27102

CX-79

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85-13202

CAMEL YOUNGER ADULT SMOKER FOCUS GROUPS
(HDD #85-13202)

BACKGROUND:

Due to the importance of younger adult smokers, CAMEL has developed a new advertising campaign which is directed solely towards this group. Although the new campaign is very different from the current campaign, it was developed to supplement but not replace the CAMEL World Campaign.

Management requested that the Younger Adult Campaign be taken to focus groups in order to obtain consumer reaction to the new ads. Six groups (four male, two female) were conducted in order to obtain qualitative consumer feedback about the ability of the ads to catch one's attention and the overall appeal of these executions. The ads that were shown consisted of six different themes, with approximately three executions per theme. The findings from the focus groups are summarized in this report.

As with all qualitative research, these findings are suggestive rather than definitive.

INCOMING HYPOTHESES:

- The Younger Adult Campaign will change the negative perceptions (smoker and product) of CAMEL held by so many competitive smokers.
- The Younger Adult Campaign will be viewed as exciting, likable and relevant to younger adult smokers.
- The Younger Adult Campaign will be more relevant and appealing to younger adult smokers than the current World Campaign, or the Revolutionary Campaign.
- The new campaign goes much farther in reaching the boundaries of what is acceptable to younger adult smokers than the current campaign.

FINDINGS:

I. Younger Adult Campaign Executions

Overall, many of the male and female respondents held negative user and product perceptions of CAMEL. In their minds, CAMEL was thought to be a non-filtered, harsh product, smoked by older males. However, exposure to the younger adult ads appeared to somewhat improve these attitudes. This improvement stemmed primarily from two characteristics: humor, and relevancy to younger adult smokers. Certain ads did convey the message that CAMEL was an acceptable choice for younger adult smokers; as evidence, focus group members placed some of the ads in younger adult publications such as National Lampoon and Rolling Stone.

Some of the new ads did appear to capture the attention of the respondents—and yet, many fell short in one area. The executions were too

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"tame" in that they did not elicit enough excitement or enthusiasm. It appears that there is still much more room for further development among this particular age group.

Of the six themes, "Go With It" and the "French Camels" appeared to attract the most positive attention. General reaction to each theme was as follows:

1. "Go With It"

These executions were generally liked because of the young couple, the situations they were in and the unexpected presence of the camel. Focus group members could relate to the models and their activities--therefore, there was a relevancy for younger adult smokers. This reality was a successful compliment to the fantasy aspect of the ads (as represented by the camel). However, the tag line, "Go With It", appeared to be flat and outdated.

2. "French Camels"

These ads were well received due to the fun/humor aspects of the cartoons. More than any other theme, the "French Camels" appeared to attract the respondents' attention. The main drawbacks of these executions were that: one, they may be more appealing to an even younger age group and two, there is some confusion as to the meaning behind them (some focus group members were hard-pressed to explain the purpose of the ads).

3. "Welcome to the Oasis"

These ads fell short because the "Oasis" concept was not meaningful or clear to the younger adult smokers. To some respondents, the oasis communicated a place to come for relaxation. However, many did not understand why a camel and a pyramid had been placed in different settings. The fantasy element was not extreme enough, and was therefore lost in this group. Furthermore, the pyramid bore no association to the CAMEL pack among these respondents, and thus the heritage/mystique quality of the executions was irrelevant.

4. "Smoke Rings"

In these visuals, the younger adult smokers did not understand the connection between the ads and CAMEL's smoking billboard. Consequently, the ads appeared somewhat "stupid" and mundane. The exception to this was the underwater billboard. This particular ad combined the unexpected with the unexplainable, and as a result it received positive feedback. However, much of this positive feedback was due to the actual underwater visual and not the overall concept of "Smoke Rings".

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3. "Camel, Man"

These artists' renderings held very little appeal for the target as the renderings were apparently too cerebral in nature. The humorous, "avant-garde" element of the paintings and of the tag line was not appreciated by these groups. In addition, the ultra-macho figures only served to reinforce and accentuate the masculine perception of the brand.

4. "I'd Walk a Mile"

The most surprising result of showing these ads was that the target did not remember the "I'd Walk a Mile" Campaign of the 1960's. As a result, the humor of the executions did not come across. Instead, focus group members attempted to make literal interpretations of the ad. This learning is significant because it suggests that CAMEL's heritage is unfamiliar, and therefore somewhat irrelevant, to younger adult smokers.

II. Other Areas of Exploration

1. CAMEL Evolutionary Campaign

Reaction to this campaign was consistent with previous focus group learning. In general, the response was positive. The activities portrayed in the evolutionary ads were relevant because they depict fun and group activity, both important elements to younger adults. Among several of the groups, the Evolutionary Campaign appeared to be liked as much, if not more, than the Younger Adult Campaign.

2. CAMEL Packaging and Trial

To these smokers, the CAMEL Filters pack is symbolic of their negative perceptions of CAMEL. The yellowish pack color and the desert scene, suggest that the product is old, stale, hot and harsh. The whiter, cleaner CAMEL Lights packaging was better received. Focus group members were also quick to point out the negative connotations of "CAMEL Taste".

It is important to note that trial consistently evoked surprised reactions that the product (both filters and lights) was not as strong and harsh as was expected. In fact, many enjoyed the product's taste and delivery. These positive responses in trial indicate that CAMEL's problems are not due to poor product, but rather to negative user imagery and misconceptions that CAMEL has only the non-filtered style. However, if the Brand could stimulate trial among this group of competitive younger adults, these smokers would see that CAMEL's product is indeed acceptable. In turn, this would help overcome these negative perceptions.

3. "Let CAMEL Take You to the Movies" Promotion

Essentially, younger adults liked the concept behind the promotion and expressed eagerness to participate. They did, however, have mixed feelings about the overall creative element of this particular visual.

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OUTGOING HYPOTHESES:

1. Because of CAMEL's negative in-market perceptions among younger adults, a campaign directed towards them must be very appealing and stimulating, as well as eye-catching. While these younger adult ads appeared to move the target in the right direction, the ads did not move them to the necessary extreme.
2. CAMEL's asset of heritage does not appear to have quite the leverage against the target group that was earlier presumed. The reason for this is primarily that this age group is too young to remember earlier ties, to "I'd Walk A Mile", the smoking billboard, the camel or any other element associated with the Brand.
3. In terms of overall appeal, younger adult smokers appear to like a reality/fantasy mix. The reality element encompasses factors such as models their own age and activities the respondent could participate or relate to; the fantasy element includes scenes that are either unique and unexpected, or, humorous and ridiculous.
4. The Younger Adult Campaign is, for the most part, successful in letting the target know that the ads are directed towards their particular age group. In contrast, the Evolutionary Campaign has a somewhat wider range of appeal.

IMPLICATIONS:

The Younger Adult Smoker Campaign's departure from traditional CAMEL advertising is a significant improvement due to its relevancy to these targeted smokers group. The actual executions, however, fell short of eliciting the extreme reactions which are needed in order to change current perceptions of CAMEL. Further creative exploration of advertisements could produce a more dynamic and effective Younger Adult Campaign.

ADDICA



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Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

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100 WITH 25"

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.



52189 5471

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TOGETHER WITH JOE

Warning: The Surgeon General Has Determined
That Smoking is Dangerous to Your Health.



The Camel is a registered trademark of Camel Cigarettes Co. dated June 9, 1967.

52189 5472

50453 67413

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BEST IMAGE



Warning: The Surgeon General Has Determined
That Cigarette Smoking is Dangerous to Your Health



RM0005739

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FRENCH CAMELS

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health



Give us a ring Call 1 800 273-8000
and we'll send you this poster, 28" x 36"

Submitted to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5474

HOUSE 5745

RM0005740

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.

15 mg "tar," 1.1 mg. nicotine av. per cigarette by FTC method.

CAMEL

FILTERS



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5475

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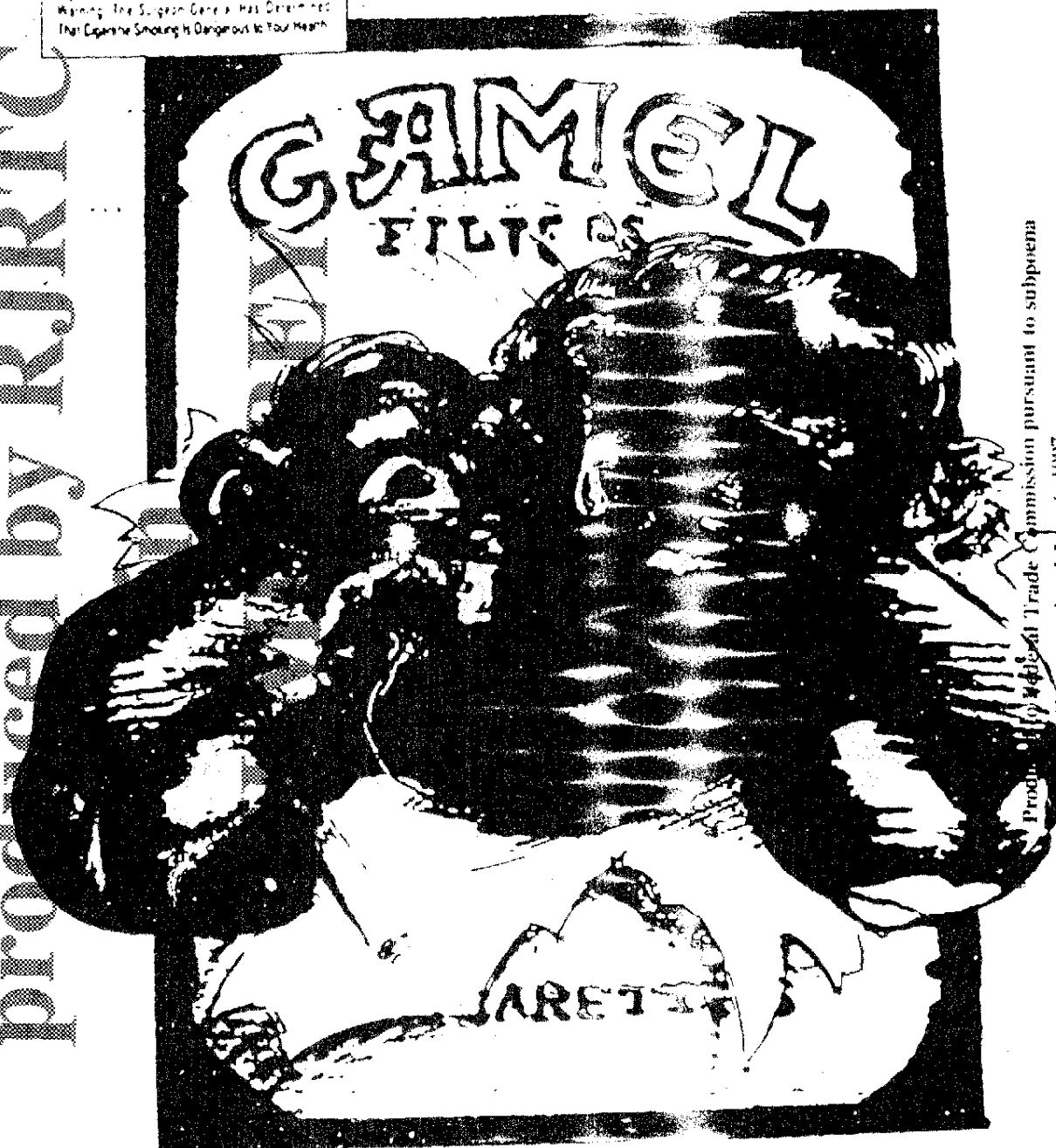
RM0005741

PRINT IMAGE

FRENCH CAMELS

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health

Produced by RJRT/C



Produced by RJRT/C
Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5476



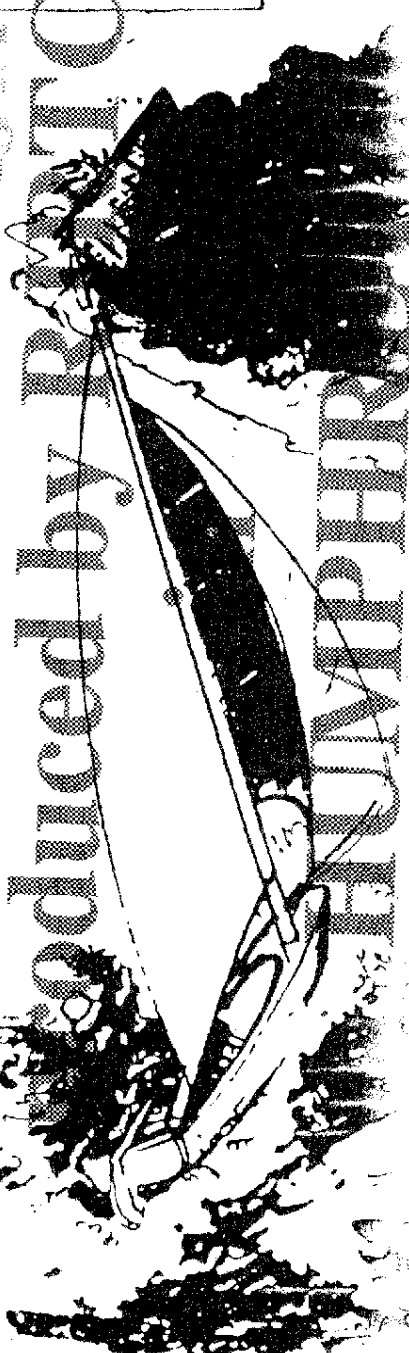
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ELCCM

OASIS

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.



to the oasis.



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

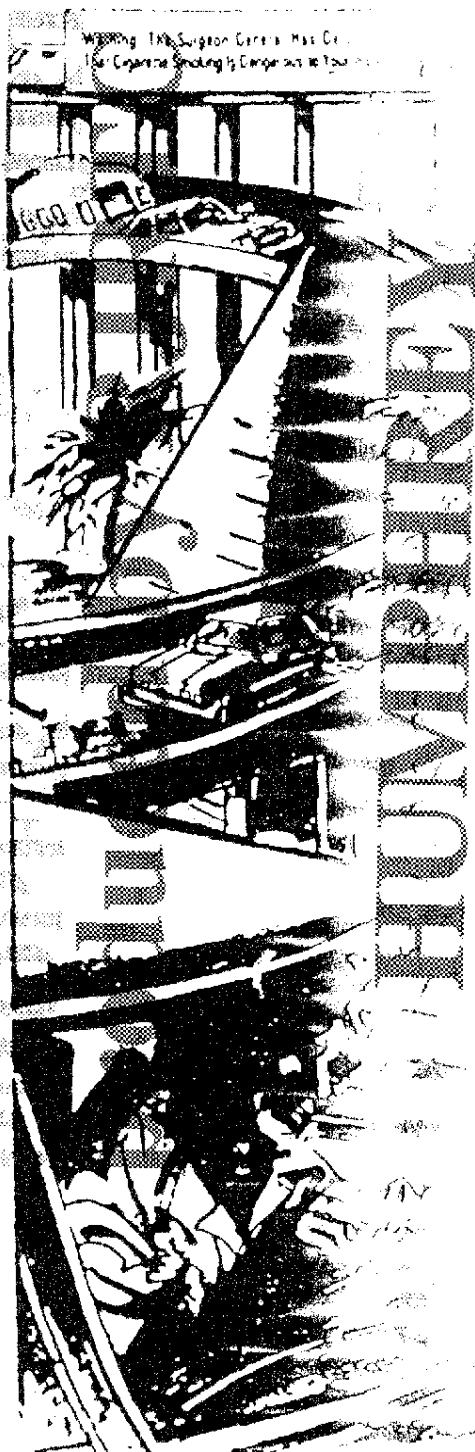
52189 5477

SCUSB 5708

RAI005743

ART IMAGE

WELCOME TO THE OASIS



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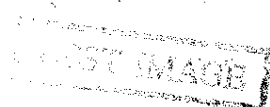
52189 5478

50458 5199

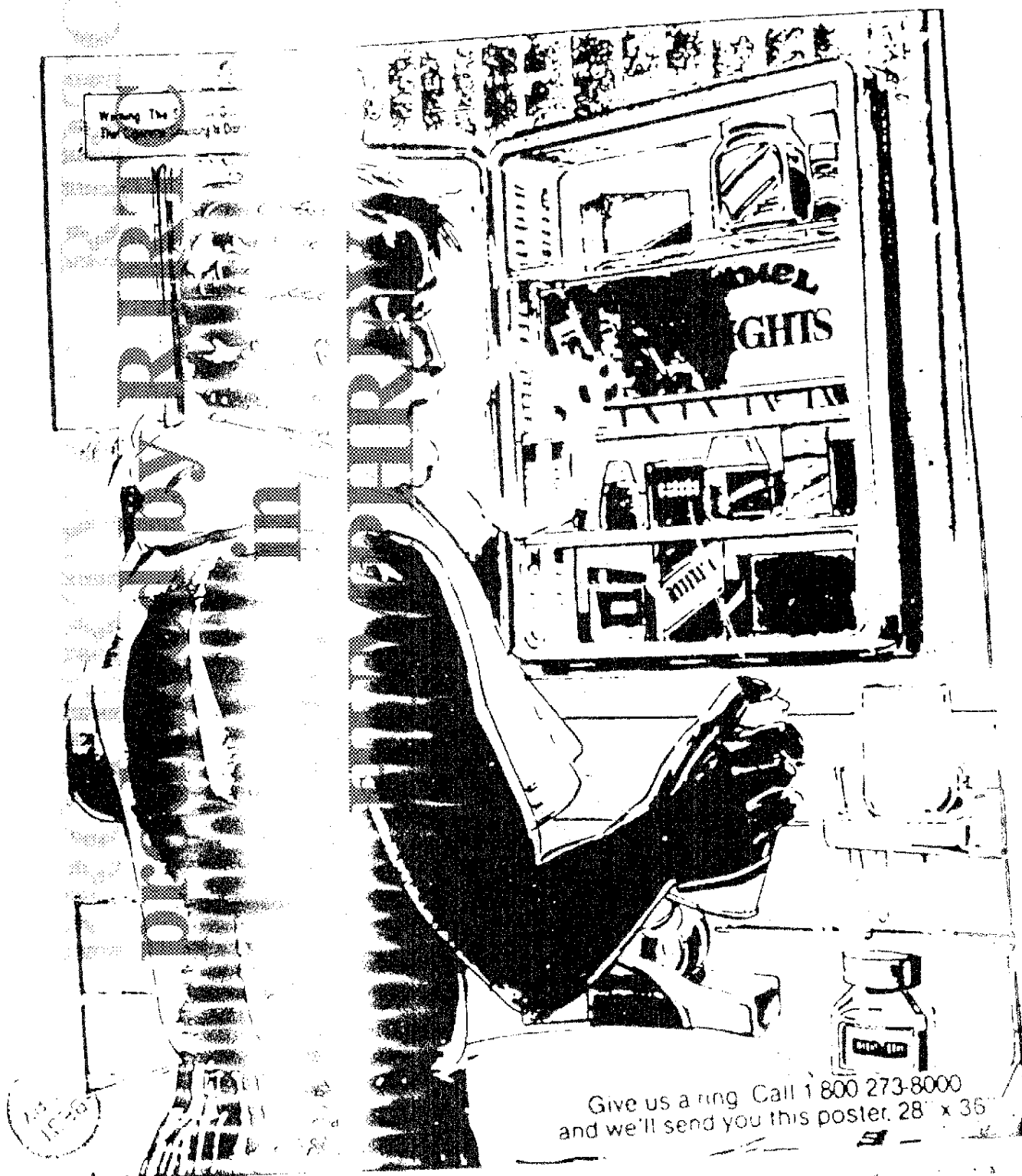
Welcome to the oasis.



1000005744



"SMOKE RINGS"



Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5479

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RM0005745

"SMOKE RINGS"

10 mg "tar,"
0.9 mg. nicotine av.
per cigarette by FTC
method.

tar and nicotine
contents determined
by FTC method.

CAMEL
FILTERS

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

Give us a ring. Call 1 800 273-8000
and we'll send you this poster, 28" x 36"

52189 5480

50458 5751

RM0005746

BEST IMAGE

"SMOKE RINGS"



Give us a ring Call 1 800 273-8000
and we'll send you this poster, 28" x 36"

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EST

52189 5481

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RM0005747



"CAMEL" 11/11/97



Warning: The Surgeon General has Determined
That Cigarette Smoking is Dangerous to Your Health

Produced to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

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50458 5751

REDA IMAGE

Ad000
1997



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dated June 6, 1997.

52189 5483

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TEXT IMAGE



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dated June 6, 1997.

52189 5484

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RM0005750



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dated June 9, 1997.

52189 5485

50458 - 756

RM0005751



Warning: The Surgeon General has Determined
That Cigarette Smoking is Dangerous to Your Health.

by RJRTG

Filed to Federal Trade Commission pursuant to subpoena
dated June 6, 1997.

52189 5486

50458 5757

RM10005752

MUST IMAGE